# Municipal Administration in the Roman Empire

Abbott and Johnson

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# MUNICIPAL ADMINISTRATION IN THE ROMAN EMPIRE

*This book is published on the Shreve Foundation established at Princeton University in memory of Benjamin Davis Shreve of the Class of* 1856 *by the bequest of his widow "for the study of the history of nations, both ancient and modern, to ascertain the cause of their decay, degeneracy, extinction, and destruction, and to show the dangers that now exist and are arising which, if not checked, will injure, if not destroy, our free government." In* 1924 *Professor Abbott was elected as the first Fellow on this Foundation.*

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# MUNICIPAL ADMINISTRATION IN THE ROMAN EMPIRE

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## PREFACE

The studies set forth in this volume were first planned by Professor Frank Frost Abbott in 1914. In collaboration with the present writer the work was carried on with many interruptions under the general editorship of Professor Abbott until his death, July 23, 1924. For his kindly criticisms and generous help I shall always remain profoundly grateful.

The municipal institutions of the Roman Empire contain in large measure the secret of the vitality and the decay of that ancient civilization which controlled the destinies of the world for a longer span than any imperial power whose history has yet been recorded. For this reason it has been our aim to trace the history of the relations of these municipalities to Rome, their differing status, the development of Roman policy towards them, and the circumstances attending their decline, and therefore the decline of the empire. These matters and certain others clearly relating to them are set forth systematically in the Introduction. In this portion of the book we have made a study of the juridical and fiscal relations to Rome of communities of various classes, of the political organization and financial systems of these communities, of the attempts which were made to combine them into larger political entities through the provincial assemblies, of the development of the municipal policy of Rome, and the decline of the municipality.

The last chapter, on municipal documents, may serve as a technical introduction to Part II of the book, in which are brought together inscriptions and papyri that throw light on the relations which the municipalities bore to Rome. These documents have hitherto been so widely scattered that it was thought advisable to gather them together in order that those interested in municipal institutions might be able to gain a first-hand comprehensive survey of the problems involved in their study. No collection of this kind exists and the information which such a corpus provides is definite and accurate. The lower limit of time for this collection has been set at the end of the third century, for the reason that most constitutions antedate the fourth century and the influences which determined the course of events are clearly discernible in the earlier period. Moreover, it would be impossible to deal fully with the Byzantine period without doubling the compass of the book.

It has been the aim of the editors to include all inscriptions which furnish information of importance bearing upon the relations of Rome to her municipalities. Very fragmentary inscriptions and those which gave no information, known from documents already included, have been omitted. In the case of the documents from Egypt our choice has been limited more especially to the more important and representative papyri dealing with the towns and villages from the Roman occupation to the beginning of the Byzantine period.

In general it should be stated for the purpose of defining the work of the two collaborators, that Mr Abbott directed his attention to conditions in the West, and the present writer to those in the East. This means, practically, that the former is primarily responsible for the Latin inscriptions and for the commentaries on them, and the latter for the Greek and bilingual inscriptions, the papyri, and the commentaries on the documents of these three classes. The authorship of each chapter in the Introduction is indicated in the Table of Contents. The manuscript of Mr Abbott's portion was fortunately in final form, and is here published with slight editorial revision.

In view of the cost of printing, critical notes have been reduced to a minimum, typographical devices in the texts have been used as sparingly as possible, and in the Latin inscriptions in particular deviations from the text of a stone or tablet have been indicated simply by the use of italic letters. In the text of the papyri indications of obscure or doubtful letters by the customary convention have been omitted, but in all cases where the interpretation of a document depends upon the reading, the fact has been indicated in the commentary.

In conclusion, thanks are due to Professor John W. Basore for reading the manuscript; to Professor Paul R. Coleman-Norton for undertaking the arduous task of verifying references and reading proof; to Professor D. M. Robinson for furnishing in advance of publication his text and commentary on the inscription discovered by him at Antioch; to Professor Edward Capps for his generous and helpful interest in these studies; and finally, to the Secretary and staff of the Cambridge University Press for their unfailing courtesy and care.

ALLAN CHESTER JOHNSON

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# PART I

# INTRODUCTION

# CHAPTER I

## COLONIAE AND MUNICIPIA[1]

LONG before the republic came to an end Rome had placed the different communities which had been brought under her control in five or six well defined categories, according to their political status. But these distinctions do not hold for the earliest settlements or acquisitions of territory outside the physical limits of the city. The little market-towns which sprang up in early days on Roman territory had no separate political existence, and those who lived in them enjoyed no political rights or privileges because of their residence in them. Even Ostia had no local magistrates at the outset[2]. It was a part of the city-state of Rome. In other words Rome did not recognize the possibility of local self-government in any community dependent upon her or under her suzerainty.

This policy was violated when Rome took certain communities under her control, but allowed them to retain some part of their previous sovereignty. She adopted the new practice for the first time, according to tradition, in the case of Antium, whose people were made up partly of Roman colonists and partly of earlier settlers[3]. Livy tells us: Antiatibus quoque, qui se sine legibus certis, sine magistratibus agere querebantur, dati ab senatu ad iura statuenda ipsius coloniae patroni. Communities of this sort had their own charters, and elected magistrates took the place of the prefects heretofore sent out by Rome. Local pride probably played a part in bringing about this change, and a desire to retain as much as possible of the old institutions and customs of the place, and the feeling that residents could administer the affairs of a village better than non-residents. Whether Rome thought it a wise policy to yield to these pleas for self-government, or whether she followed the line of least resistance, it is hard to say.

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[1] The early chapters of this Introduction are intended to present in outline the characteristic features of the different classes of municipalities under the Roman government, and to observe the changes in the political status of these towns or in the method of founding them which we notice in passing from one period to another, or from one part of the Roman world to another. It should be observed, however, that no description can be given which will be applicable to all the members of a class, because they did not all enjoy identical rights and privileges. Some of the differences between towns of the same class in the matter of autonomy will be discussed in the commentaries on the several inscriptions.

[2] *Cf.* Mommsen, *St. R.* 3, 775.

[3] Mommsen, *St. R.* 3, 778; Kornemann, *R.E.* 4, 585.

At all events the way was open for the incorporation into the Roman state of communities possessing some measure of local autonomy. Such a political unit was called a *civitas*, whether it took the form of a city or not, whereas the term *oppidum* was used only of a city. The free use of the word *civitas* for Roman as well as for non-Roman communities begins in the second century of our era[1]. Before that time it was usually applied to native communities only, while those of Roman origin were styled *coloniae* or *municipia*. It is convenient for us to make this early distinction in the present discussion.

Colonies were cities or villages made up of settlers sent out by Rome[2]. They fell into two classes, *coloniae civium Romanorum* and *coloniae Latinorum*, according to the political rights of the settlers and the status of the colony. The founding of a colony was a sovereign act, and, therefore, under the early republic it was effected by a *lex*, while under the empire it was the prerogative of the emperor. Before the period of the revolution the establishment of a colony called for the enactment of a special law by the popular assembly. This law specified the location of the colony, and the amount of state-land to be assigned, fixed the number of commissioners entrusted with the duty of making the settlement, and determined their duties. A typical instance of the method of founding a colony is the case of Antium[1]. In the period of transition, Sulla, Caesar, and the triumvirs did not trouble themselves to secure the passage of a special law, but acted by virtue of the general powers given to them. Thus Urso is styled a *colonia iussu C. Caesaris dictatoris deducta*[2]. Octavius, Antony, and Lepidus based their right to found colonies on the *lex Titia*, which established the triumvirate. When this transfer of authority had come about, of course the new sovereign named the commissioners, as the people had done in earlier days. It was the duty of the commissioners to lead the colonists out, settle them upon the land, establish the form of government, and nominate the first incumbents of office. The colonists were given conquered land set aside for the purpose.

---

[1] Kornemann, *R.E. Suppl. Erstes Heft*, 302 *f.*

[2] Much use has been made in this discussion of colonies of Kornemann's excellent article *colonia* in *R.E.* 4, 511 *ff.* Other important articles are de Ruggiero, *Diz. Ep.* 2, 415 *ff.*; Lenormant, *Dict. Dar.* 1. 1303 *ff.*; Mommsen, *St. R.* 3 *passim*; Marquardt, *St. Verw.* 1 *passim*; Abbott, *Class. Phil.* 10 (1915), 365 *ff.*

The settlers in a Roman colony were Roman citizens, with an occasional admixture of *socii*, and in Italy they had full right of ownership in their land (*ex iure Quiritium*), and the Roman settlers enjoyed all the other public and private rights of Roman citizens, except in the matter of holding Roman magistracies. In the enjoyment of this privilege they were for a time restricted[3]. When Roman colonies in the later period were established in the provinces, the land was usually left subject to the burdens of other provincial land.

The Latin differed from the Roman colonies in size, composition, and political status. Three hundred was the normal number sent out to a Roman colony[4], rarely as many as 2000 or 3000[5], while Latin colonies usually numbered several thousand[1]. The majority of those who were sent out to a Latin colony were Latins or Italian allies, but Romans who were willing to accept Latin in place of their Roman citizenship were also enrolled. The Latin colonies of the early period bore the same relation to Rome that the members of the Latin League had held. They were free from the payment of tribute. They had the right of coinage. They had their own magistrates and laws, and they enjoyed the same private rights as Roman citizens[2]. On the other hand, while the settlers in the early Roman colonies were excused from regular military service, each Latin colony was required to furnish a military contingent to serve in the *alae* or *cohortes*. However, the twelve Latin colonies which were founded after 268 B.C. suffered a diminution in their privileges. They lost the right of coinage and the *ius conubii*, and they found it more difficult to obtain Roman citizenship[3]. Still another change in the situation came about in 89 B.C., for by virtue of the grant of Roman citizenship to the Italians in this year, all Latin colonies south of the Po were transformed into Roman *municipia*. In the same year the cities in Transpadane Gaul were given the rights of Latin citizenship, to be transformed in 49 B.C. into those of Roman citizenship. Consequently Latin colonies henceforth disappear from the peninsula.

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[1] Livy, 3. 1. 5–7.

[2] *Cf.* no. 26, chap. 106.

[3] *Cf.* no. 11.

[4] *Cf. e.g.* Livy, 8. 21. 11.

[5] *Cf.* Livy, 39. 55; 41. 13.

In Italy and the provinces the Latin colonies numbered about sixty-one, and the Roman colonies, about three hundred and eighty-one[4]. The earliest colonies were established as military outposts to hold and Romanize newly acquired territory. The most characteristic feature of the Roman colonies was the fact that they were established on the coast. This practice was followed without exception until 183 B.C., when the rule was broken by sending

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[1] *Cf.* Livy, 10. 1. 1–2.

[2] Mommsen, *St. R.* 3, 627 *ff.*

[3] Kornemann, *R.E.* 4, 518; *cf.*, however, Steinwenter, *R.E.* 10, 1267 *f.*

[4] Kornemann, *R.E.* 4, 514 *ff.*; v. Premerstein, *R.E.* 10, 1240.

Roman colonies to Mutina, Parma, and Saturnia. A change in the motives which led to the founding of colonies appears under the Gracchi, who used colonization for the purpose of relieving the needy population of Rome, of promoting the prosperity of the country districts, and of stimulating trade. The admission of the proletariat to the army by Marius naturally led him to found colonies for needy veterans. A step which looked to this change in policy had been taken as early as 171 B.C. in the case of Carteia in Spain, which was settled by the sons born of Roman soldiers and Spanish women. The precedent thus set at Carteia, and taken up by Marius, of providing for veterans in colonies, was freely followed by the triumvirs and under the empire.

Narbo Martius, established in Gallia Narbonensis in 118 B.C., is the first clear instance of a colony outside the peninsula of Italy, a precedent which was not fully accepted until we come to the time of Caesar and the triumvirs, under whom between forty and fifty such settlements were made in the provinces[1]. Under the empire this policy was gradually discontinued. From the time of Hadrian almost all the new colonies in the provinces were not newly established settlements, but existing *municipia* or native *civitates* to which the title and rights of a colony were given by the emperor. This change in status was usually in the provinces the first step towards the acquisition of Latin rights and of immunity from the payment of tribute[2].

The change which the republican system of nomenclature underwent under the dictators of the first century B.C. is significant of a change in the seat of power. The earliest instance of the new practice of naming a colony in honor of its autocratic founder is probably that of the colonia Mariana. The practice became the accepted one under the empire, and is helpful in determining the foundation-date of a colony[1].

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[1] Abbott, *Class. Phil.* 10 (1915), 372 *ff*.

[2] Kornemann, *R.E.* 4, 566.

A *municipium* was not a new settlement, as a colony was, but resulted from the incorporation of a conquered town into the Roman state[2]. The functions of its local magistrates and the limitations put upon their powers were determined in each case by the charter granted to it. Some interesting specimens of charters granted to colonies and *municipia* have come down to us from the time of the late republic, for Tarentum in Italy[3] and for the colony of Urso in Spain[4], and from the time of the empire, for the *municipia* of Salpensa and Malaca in Spain[5]. The inhabitants of a *municipium* received complete Roman citizenship, as in Lanuvium and Aricia[6], or received it in a restricted form, *sine suffragio*, as in Fundi and Formiae, or with such limitations as the provincial *municipia* of Salpensa and Malaca had at a later date[7]. As we have already noticed, all the *civitates sine suffragio* south of the Po were given Roman citizenship by the *leges Iulia et Plautia Papiria* of 90–89 B.C. Like Roman colonists the citizens in *municipia* were liable to service in the legions, and were subject to all the *munera* to which Roman citizens were subject. Indeed the ancients believed that the word *municipium* was derived from *munus* and *capere*. In their juridical position the *municipia* differed from the colonies in the fact that they could retain their traditional procedure in cases heard by their local magistrates, whereas the colonies followed Roman law. If a *municipium* in Italy adopted Roman law, it was known as a *municipium fundanum*[1].

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[1] For a list of the imperial appellatives used, *cf.* de Ruggiero, *Le Colonie dei Romani*, 96.

[2] Recent literature: Comparette, *A. J. Ph.* 27 (1906), 166 *ff.*; Declareuil, *Quelques problèmes d'histoire des institutions municipales au temps de l'Empire romain*; Heisterbergk in *Philol.* 50 (1891), 639 *ff.*; Jouguet, *Vie munic.*; Jung, *Hist. Zeitschr.* 67 (1891), 1 *ff.*; Levy, *Rev. d. ét. grecq.* 8 (1895), 203 *ff.*; 12 (1899), 255 *ff.*; 14 (1899), 350 *ff.*; Liebenam, *St. Verw.*; Mommsen, *Ges. Schr.* 1, 293 *ff.*; Toutain, *Dict. Dar. s.v. municipium*; Toutain, *Les cités romaines de la Tunisie*.

[3] No. 20.

[4] No. 26.

[5] Nos. 64 and 65.

[6] Livy, 8. 14. 2–3.

[7] Livy, 8. 14. 10; no. 64.

In the provinces we find two main classes of *municipia*, those whose citizens had Roman, and those whose citizens were restricted to Latin citizenship[2]. Some cities of the second class had the *maius Latium*, others only the *minus Latium*. Citizens in communities having the *maius Latium* gained Roman citizenship when admitted to the local senate. In towns having minor Latin rights only election to a local magistracy could win this privilege for them[3]. Provincial *municipia*, like colonies and peregrine *civitates*, were subject to tribute, and did not enjoy full ownership of land, although perhaps the *ius Italicum* was granted to favored *municipia*. This right by a legal fiction made their land part of Italy, and therefore conferred full ownership, or *dominium*, on the holders, as well as freedom from the payment of tribute[4]. So far as local administration was concerned, most *municipia* were more or less under the control of the governor of their province, whereas the colonies were strictly autonomous in the matter of local affairs[5]. This difference explains in part why so many provincial *municipia* begged the emperors to make them colonies.

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[1] *Cf.* Elmore, *Trans. Am. Phil. Assoc.* 47, 35 *ff*.

[2] Toutain, *Dict. Dar. s.v. municipium*, 2030 *f*.

[3] Gaius, I. 95–96; no. 64.

[4] *Cf.* v. Premerstein, *R.E.* 10, 1242 *ff*.

[5] On the possession of *libertas* by Roman colonies, *cf.* Toutain, *Mél. d. arch.* 18 (1898), 141 *ff*.; v. Premerstein, *op. cit.* 1248.

## CHAPTER II

# PRAEFECTURAE, FORA, VICI, CASTELLA, CONCILIABULA, CANABAE, PAGI, GENTES, SALTUS[1]

THE writer of the *lex de Gallia Cisalpina*, in designating the communities in Cisalpine Gaul to which a certain provision is to apply, mentions *oppidum municipium colonia praefectura forum vicus conciliabulum castellum territorium*[2]. *Oppidum* is a generic word for an autonomous community, and *territorium* is used of the country district outside the limits of a settlement, but belonging to it. The other words in the list have more or less definite technical meaning, and if to them we add the terms *pagus*, *gens*, *canabae*, and *saltus*, we shall probably have a complete catalogue of the names given in the West to the smaller administrative units. The first three of these terms, *municipium*, *colonia*, and *praefectura*, stand apart from the rest to indicate communities of a clearly marked, general type, and again the *praefectura*, which did not enjoy all the rights of self-government in local affairs, stands opposed to the more fortunate *municipium* and *colonia*. *Praefectura*, in fact, may be thought of as a generic term applicable to any community which lacked the full right of self-government. In this sense, as we shall see, it comprehends all the terms, except *territorium*, which follow it in the list given above.

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[1] Outside of the discussions in the standard treatises of Mommsen (*St. R.* 3, 765 *ff.*), Marquardt (*St. Verw.* 1, 34 *ff.*), Willems (*Droit public rom.* 357 *f.*) and Madvig (*Verf. u. Verw.* 1, 44, 49), some of the most recent literature on the communities treated in this chapter are papers by Schulten in *Philol.* 53 (1894), 629–686; *Hermes*, 29 (1894), 481–516; and *Rh. Mus.* 50 (1895), 489–557; Hardy, *Six Roman Laws*, 143 *ff.* and articles under the pertinent headings in *Dict. Dar.*, *R.E.* and the *Diz. Ep.* For a convenient list of the *praefecturae*, *fora*, *vici*, *castella*, *pagi*, and *saltus* mentioned in Dessau's collection of inscriptions, *cf.* Dessau, 3, pp. 619, 660–664, 669.

[2] No. 27, c. 21, ll. 2 *f.*

The title *praefectus* was given to an official to whom some higher authority had delegated the power to perform certain functions. So far as the villages and cities of the empire were concerned, the source of authority might be the central government at Rome or some one of the *civitates*. The officials of the first sort were the *praefecti iure dicundo* sent out by the urban praetor to administer justice in the settlements founded by Rome or annexed by her, as well as the special *praefecti iure dicundo Capuae Cumis* who were elected in the *comitia* on the nomination of the praetor. The term prefecture could also be applied to the small communities which did not have an independent status, but were attached to a neighboring *civitas*. In this case the authority of the prefect came, not from Rome, but from the *civitas*. The residents in Italian prefectures connected with Rome lacked in the early period some of the qualities of citizenship, but later these communities either attained the position of *municipia*, or while retaining the name of *praefecturae*, differed from *municipia* only in the fact that they did not have *II viri* or *IV viri*[1]. As for the other class of prefectures, they maintained their existence down to a late date. *Civitates* usually had *territoria* dependent upon them. In these *territoria* hamlets were scattered here and there, and in the villages at a distance from the governing city justice was administered and certain other powers were exercised by a prefect sent out for that purpose by the municipal authorities. To such an official, for instance, reference seems to be made in *CIL*. x, 6104, an inscription of the Augustan age: Carthagine aedilis, praefectus iure dicundo vectigalibusque quinquennalibus locandis in castellis LXXXIII. Similarly the magistrates of the Genuenses exercised jurisdiction over the residents of the castellum

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[1] Cagnat, *Dict. Dar. s.v. praefectura.*

Vituriorum[1]. In one case we hear of the duovir of a colony acting as prefect of a *castellum*[2]. It is impossible to draw an exact line of distinction between the several minor communities, but for purposes of convenience in discussion the *fora*, *conciliabula*, *vici*, and *castella* may be put together. These in turn fall into two groups, the *fora* and *conciliabula* on the one hand, and the *vici* and *castella* on the other. Settlements of the first two classes were always authorized by the central government and thus bore a certain resemblance to colonies[3]. Indeed it is quite possible that in the earliest period Roman colonies held the same legal relation to Rome as the *fora* and *conciliabula* did in later times[4]. This official relation for the *fora* is indicated by such typical names as Forum Popili and Forum Livi. Most of them were founded by Roman magistrates charged with the construction of a highway, and the name is found most frequently in northern Italy[5], and for settlements made under the republic. In the last century of the republic most of the *fora* and *conciliabula* were erected into communities with full rights of local self-government.

On a somewhat lower plane stood the *vici* and *castella*. Of them Isidore remarks[6]: vici et castella et pagi sunt, quae nulla dignitate civitatis ornantur, sed vulgari hominum conventu incoluntur et propter parvitatem sui maioribus civitatibus attribuuntur. The *vici*, at least, were usually private settlements, and the *castella* may be regarded as fortified *vici*, although in the founding of a *castellum* probably the initiative would ordinarily be taken by a military authority, and the commandant may well have acted at the outset as the local magistrate[7]. Most of the *castella* were naturally on the frontiers[1]. Some of the *vici* and *castella* were in time made independent communities. This happened, for instance, in the case of Sufes[2], and occasionally a *civitas* was reduced to the position of a dependent *vicus*. An interesting instance of this sort is furnished by the petition of the people of Orcistus[3]. In a few cases we find the name *vicus canabarum*[4] applied to a community, but settlements of this sort do not seem to have differed from *canabae*, which come next in the order of discussion.

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[1] No. 10, ll. 43–44. For a specific illustration of the relations between a *civitas* and its *attributi*, see commentary on no. 49 on the question at issue between the *municipium* of Tridentum and the Anauni.

[2] *CIL.* VIII, 15726.

[3] Schulten, *R.E.* 4, 799 *f.*

[4] Mommsen, *St. R.* 3, 775 *ff.*

[5] Schulten, *R.E.* 7, 62.

[6] *Orig.* 15. 2. 11.

[7] Mommsen, *Hermes*, 24 (1889), 200.

This word in its general sense was applied to the temporary shops and booths put up by merchants. It was natural to use it also of the settlements of merchants and camp-followers which sprang up about the camps. They were usually located so as to leave a free space between the fortifications of the camp and the hamlet in question. The organization was based on the resident Roman citizens, and, with its *magistri* or *curatores*[5], probably bore a close resemblance to the *conventus civium Romanorum*, of which we have a reasonably complete record[6]. Probably the native women by whom the soldiers in the camp had children lived in these nearby villages, so that it was natural for the veterans on receiving their discharge and the legalization of their marriages to settle in the *canabae* with their wives and children. To them we have reference in an inscription from Aquincum[7] and elsewhere. In the history of the Roman municipality the *canabae* have a special interest for us, because we can, in some instances, trace their growth from the earliest settlement by Roman citizens up to the granting of a municipal charter. This is true, for example, of Apulum[1], Aquincum[2], Carnuntum[3], and notably of Lambaesis[4]. Some of these settlements, like Carnuntum, even attained the dignity of a colony[5].

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[1] For a list, not absolutely complete, *cf. Diz. Ep.* 2, 130 *f.* The castellum Carcassonne has preserved its external features up to the present day.

[2] *CIL.* VIII, 11427; Kubitschek, *R.E.* 3, 1757.

[3] No. 154.

[4] Schulten, *Philol.* 53 (1894), 671 *f.*

[5] *CIL.* III, 6166; V, 5747; and the phrase civibus Romanis consistentibus ad canabas leg. V (*An. ép.* 1920, no. 54).

[6] See Kornemann, *s.v. conventus, R.E.* 4, 1182–1200. Mommsen's theory (*Hermes*, 7 (1873), 299 *ff.*) that the *canabae* had a military organization is no longer held; *cf.* Schulten, *R.E.* 3, 1452; *Hermes* 29 (1894), 507.

[7] *CIL.* III, 3505.

The *pagus*[6] differed essentially from all the communities which have been mentioned thus far. The meaning of the term varied somewhat from one period to another and from one part of the Roman world to another, but the canton was always thought of as a rural administrative unit, and was opposed in sense to *civitas*, *urbs*, or *oppidum*. The Romans found these rural subdivisions in their conquest of Italy and of other parts of the western world, and they were frequently preserved intact, but were usually given a Roman name. Caesar uses the term to indicate part of a native tribe[7], but under the empire it came to designate very definitely a territorial unit.

The inhabitants of a canton might live dispersed or in hamlets (*vici*). They formed a commune for such religious purposes as the celebration of festivals and the maintenance of the local cult, and for such administrative purposes as the repairing of roads and the apportionment of the water supply. The religious side of the community life is indicated by such names as *pagus Martius* and *pagus Apollinaris*, although other cantons bore a local name, *e.g.* *pagus Veronensis*, or even a gentile name, as was the case, for instance, with the *pagus Valerius*. The cantons enjoyed a certain degree of autonomy. We read in the inscriptions of their *magistri* and their decrees. In most cases probably the decrees were passed in popular assemblies, but in one case at least, we hear of the decurions of a canton[1]. In later days the *pagi* must have lost largely their rights of self-government, because after Diocletian's time we hear frequently of the *praefecti* or *praepositi pagorum*[2].

---

[1] Tomaschek, *R.E.* 2, 290 *f.*

[2] Tomaschek, *R.E.* 2, 333.

[3] Kubitschek, *R.E.* 3, 1601 *f.*

[4] Wilmanns, *Comm. Mommsen*, 190 *ff.*; Cagnat, *L'armée romaine d'Afrique*, *passim*.

[5] *CIL.* III, 4236.

[6] An extended discussion of the subject is given by A. Schulten, *Die Landgemeinden in röm. Reich*, *Philol.* 53 (1894), 629–655. For recent literature, see Toutain in *Dict. Dar.* and Lübker, *Reallexikon*, *s.v. pagus*.

[7] *B.G.* I. 12.

A larger rural unit than the *pagus* was the *gens* or *populus*. In Spain and Gaul, for instance, the Romans found it convenient to deal with the tribal organizations, and to accept the division of these tribes into the traditionally accepted smaller cantons. The Helvetii, for example, were divided into four cantons in Caesar's time[3]. A judicial prefect was put in charge of a tribe or group of cantons. Thus we hear of a *praef. gentis Cinithiorum*[4] and a *praefectus civitatium in Alpibus Maritumis*[5]. In these cases Rome dealt with a whole people, not with single cities. Each tribe, however, had one or more villages, which were made centres of administration. If these grew in importance, they might develop into autonomous cities, and receive Latin or Roman rights as the principal village of the Vocontii did[6].

At the bottom of the scale, so far as the enjoyment of self-government was concerned, were the *coloni* on large private and imperial estates. Our information about the political and economic organization of these estates in the West comes almost entirely from inscriptions found during the last forty years[7]. All but one of these documents come from Africa, so that a description of the organization of the *saltus* based on them applies strictly to that region, although the same system in its general outlines probably prevailed in other parts of the empire. The growth of great estates is closely connected with the policy which Rome adopted in dealing with the *ager publicus*. The land of a conquered people passed automatically under Roman ownership. Some of the cultivated land might be used as the site of a colony, some turned back to the natives in return for a rental. As for the uncultivated land, capital was needed for its development, and it was occupied to a great extent by rich Roman landlords. Under this system immense estates came under the control of private owners both in Italy and the provinces. This was particularly true of Africa, of which Pliny tells us that in Nero's time *sex domini semissem Africae possidebant, cum interfecit eos Nero princeps*[1]. The early emperors, as one may infer from Pliny's remark, saw clearly the political and economic danger with which this situation threatened the government and society, and set themselves to work to remove it[2]. The land must belong to the state. This change in ownership was accomplished partly by way of legacies, but in larger measure through confiscation. The land became again public land, to be administered henceforth by the emperor, and by the time of the Flavians most of the great estates had become crown-lands[3]. They were too large to be made the *territoria* of neighboring cities. They were therefore organized on an independent basis, and with the formation of the *saltus* a new and far-reaching principle was introduced into the imperial system. Hitherto Rome had made

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[1] *CIL.* VIII, 1548.

[2] The *conventus civium Romanorum* scarcely belong among the communities under discussion here.

[3] *B.G.* I. 12. [4] *CIL.* VIII, 10500. [5] *CIL.* V, 1838.

[6] *Cf.* Kornemann, *R.E.* 4, 545 and Schulten, *Rh. Mus.* 50 (1895), 521.

[7] These inscriptions are the *Epistula data a Licinio Maximo et Feliciore Augusti liberto procuratoribus ad exemplum legis Mancianae* (no. 74) found in 1896 at Henchir-Mettich, the *Ara legis Hadrianae* (Bruns, 115) found in 1892 at Aïn-Ouassel, the *Sermo et epistulae procuratorum de terris vacuis excolendis* (no. 93) found in 1906 at Aïn-el-Djemala, the *Rescriptum Commodi de saltu Burunitano* (no. 111) found in 1879 at Souk-el-Khmis, and

the *Rescriptum Philipporum ad colonos vici cuiusdam Phrygiae*, found in 1897 in Phrygia (no. 141). *Cf.* also nos. 122 and 142. Information concerning the system followed on each of these imperial domains may be found in the commentaries on the inscriptions mentioned.

[1] *N.H.* 18. 6. 35.

[2] *Cf.* Rostowzew, *Gesch. d. röm. Kol.* 378.

[3] Rostowzew, *op. cit.* 379.

the *civitas* the political and social unit. It had dealt administratively with the individual through the magistrates or decurions of his community. The *coloni* on an imperial estate had no political organization, or at most only a rudimentary one. They were, therefore, brought into direct relations with the emperor or his personal representative. In carrying out this plan of government for the domains located in a given region, a method was adopted not unlike that which had been followed in the case of a newly acquired province. Just as a senatorial commission under the republic had drawn up a *lex provinciae* to fix the relations of the *civitates* to the central government and the form of government for the province within which they lay, or just as emperors granted charters to municipalities, so representatives of the emperor drew up a statute for the domains of a given district. The earliest of these statutes to which we have any reference is the *lex Manciana*[1], which was probably not a system of regulations drawn up by the owner of a private estate, as is commonly supposed[2], but was rather the work of an imperial legate, perhaps of the Emperor Vespasian[3]. The *lex Manciana* continued in force in Africa until it was supplanted by the *lex Hadriana*, to which reference is made in a document of the time of Commodus[4] and in another of a later date[5]. From a study of these documents, supplemented by information to be had from other inscriptions, it is possible to determine the administrative system which was introduced into the imperial domains. Each estate, or *saltus*, was in charge of a *procurator saltus*, who was usually a freedman, and all the procurators of a given region were under a *procurator tractus*, of equestrian rank[1]. Sometimes between these two officials was a *procurator regionis*. The procurators were not under the control of the proconsul, but were directly responsible to the emperor[2]. The business affairs of an estate were in charge of a *conductor*, who was a freeman or a freedman and was responsible for the management of the entire estate. Most of the land was rented to tenants under five-year contracts, and each tenant was personally responsible for the payment of the rental to the imperial collector. In case of non-payment the *conductor* proceeded against him[3]. Part of the land in an estate could be leased by the *conductor* and worked directly by him or leased to tenants[4]. For the purpose of working this land he could require a certain number of days' labor annually from each tenant.

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[1] No. 74, l. 6.

[2] Hirschfeld, 123, n. 3; Seeck, *R.E.* 4, 484; Toutain, *Nouv. rev. hist. de droit fr. et étr.* 21 (1897), 393 *ff.*; 23 (1899), 141 *ff.*

[3] Rostowzew, *op. cit.* 329.

[4] No. 111, ll. 5, 26.

[5] Bruns, 115, l. 7.

With this sketch in mind of the administrative arrangements on an estate, let us fill in some of the details of the plan. No specimen of the fundamental law for an estate has come down to us in its entirety, but the articles of the *lex Manciana* and *lex Hadriana* which are extant prove that it provided in the minutest detail for the regulation of the affairs of the imperial domains. It established a system of administration; it specified the powers and duties of the *procurator*, the *conductor*, and their assistants; it determined the rights and duties of the *colonus*, fixed his rental, and provided for him a method of appeal. Such a law was drawn up for a large region. Consequently it might violate the usage of a particular locality. There were two points especially in which this seems to have happened, viz. in determining the amount of corn, wine, or other

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[1] For a list of the *tractus* in Africa, *cf.* Schulten, *Die römischen Grundherrschaften*, 62 *ff.* For a list of the imperial domains in other parts of the Roman world, *cf.* Hirschfeld, *Der Grundbesitz d. röm. Kaiser in d. ersten drei Jahrhunderten*, *Klio*, 2 (1902), 45–72; 284–315.

[2] Hirschfeld, *Klio*, 2 (1902), 295.

[3] Rostowzew, *Geschichte d. Staatspacht*, 443.

[4] Rostowzew, *op. cit.* 443–4.

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produce which the tenant should pay as rental[1], and in fixing the number of days' labor which the *conductor* might require of the tenant. In case of dispute on such points the matter was referred to the *procurator saltus*, or was carried up to the emperor or his deputy, the *procurator tractus*. The same method of appeal was followed if the fundamental law was violated. Thus the tenants on the *saltus Burunitanus* complain that they are required to give more than six days' labor each year to the *conductor*[2], that the *conductor* is very wealthy and has secured the support of the procurator of the estate[3], and that they have been flogged and maltreated by soldiers, although some of them are Roman citizens[4]. In the case of such petitions as this the emperor caused his decision to be engraved on a tablet and to be placed where it could be seen by all the tenants.

Within the limitations of, and in accordance with, the forms imposed by the statute and by subsequent decisions of the emperor, the procurator was the administrative and judicial officer of the domain. It is his duty to maintain order, and he may even employ soldiers for this purpose[5]. The tenants on the *saltus Burunitanus* recognize their lowly condition in their petition to the emperor by speaking of themselves as *rustici tui vernulae et alumni saltuum tuorum*[6]. Inasmuch as they had the right to petition the emperor and had a *magister*, they evidently had a rudimentary political organization, but they had no form of local government[7]. They did not even have the political rights which *attributi* enjoyed, because they were attached to no *civitas*. The fact that the domains were extramunicipal carried with it certain advantages as well as disadvantages[1]. The *coloni* were thereby relieved from all the municipal charges which in the later period weighed so heavily on the *civitates*. The evil side of their political situation lay in the fact that they formed a special social class, in a territory of well marked limits, under officials with large powers whose sympathies lay with their masters, the *conductores*. Their only recourse was to the emperor, and appeal to him was difficult and dangerous. As the control of the central government over the outlying regions became weaker, the *coloni* were more and more at the mercy of the *conductores*[2].

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[1] Hyginus, *Gromatici veteres* (Lachmann), 205.

[2] *Cf.* no. 111, Col. III, ll. 12–13.

[3] *Ibid.* Col. III, ll. 1–12.

[4] *Ibid.* Col. II, ll. 11–16.

[5] *Ibid.* Col. II, l. 11.

[6] *Ibid.* Col. III, ll. 28–29.

[7] *Ibid.* Col. IV, l. 27; *cf.* also Lécrivain, *Dict. Dar.* 3, 963 *f.*

As we have noticed in another connection[3], the debasement of the coinage and the pressing need of food for the Roman rabble and for the armies, forced Diocletian to make contributions in kind a fixed part of the tribute from the provinces. This heavy demand, coming as it did at a time when the amount of cultivated land was decreasing, and the productivity of the soil declining, called for higher rentals than tenants were willing to pay. Their only recourse was to abandon their holdings, but this would have made matters still worse. It must be prevented at all hazards, and Constantine made it illegal for tenants to leave their farms. But probably his edict only gave legal recognition to a situation which already existed. In earlier times tenants had been inclined to retain their holdings, the renewal of leases was probably taken for granted, and tenancies descended from father to son. As for the *conductor* also, some time after the third century, he ceased to take a *saltus* for a fixed period, but settled on it for life, became its practical owner, and bequeathed it to his heir[4]. It was ruinous for him to have frequent changes in his tenants, or to have his land pass out of cultivation, and this he prevented. When this point had been reached, the *colonus* had become a serf.

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[1] For the history of extra-territoriality, which seems to be of eastern origin, *cf.* Rostowzew, *Gesch. d. röm. Kol.* 375 *ff.*

[2] For a few instances of the development of *vici* of tenants into *civitates*, *cf.* Pelham, *Essays*, 298.

[3] *Cf.* pp. 129 *ff.*

[4] Rostowzew, *op. cit.* 396 *ff.*

## CHAPTER III

## VILLAGES IN THE ORIENT

IN the early history of Greece the union of villages and cities (συνοικισμός) had led to the grouping of a large number of tribes (ἔθνη) in city-states. These became the political centres of the groups, although a large part of the population remained in the original villages and retained some form of administration in the management of local affairs, such as games and religious festivals[1]. Occasionally we find some political legislation, as, for example, in the Mesogaea of Attica where, in the third century, certain demes united to protect their lands against raids[2]. When Demetrius founded Demetrias by the union of neighboring cities and villages, the former of these, as demes of the new town, still retained a local assembly and local magistrates, although the sovereignty which they possessed must have been limited[3]. In some of the more backward districts of Greece, such as Aetolia, Arcadia, and Epirus, villages existed with an independent organization, and were not attached to any city. The records of such communities, however, have not been preserved[4]. In Thrace the tribal organization was governed by a phylarch. The people lived in villages, several of which sometimes united in a κοινόν, whose chief magistrates were called comarchs[5]. In this province we also find toparchies, which seem to have had a central government modelled on that of the Greek city[6].

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[1] *Dict. Dar. s.v.* κώμη; Kuhn, *Die Entstehung der Stadt*, 188 *f.*; *R.E. s.v.* κατοικία, κώμη.

[2] Ferguson, *Hellenistic Athens*, 207.

[3] *Ath. Mitt.* 14 (1889), 196 *ff.*

[4] *Dict. Dar. s.v.* κώμη; Kuhn, *op. cit.* 24 *ff.*, 79 *ff.*

[5] Cagnat, *IGRR.* I, 721, 728. [6] No. 131.

Villages sometimes developed independently into cities, or were detached by force from the municipality, and constituted as independent communities. A case like the dispersion of Mantinea by Agesilaus was rare[1]. Mantinea and Corinth were, for a time, made villages of Argos as a result of war[2], but, in general, the loss of civic status by a municipality was due to economic weakness, especially in Hellenistic and Roman times.

In Asia Greek culture had not penetrated beyond the maritime regions before the conquests of Alexander, and the interior of the Persian kingdom was almost entirely composed of village-communities. Under Roman rule we find these organizations still existing in various forms. Such names as δῆμος, *κώμη*, *κωμόπολις*, *μητροκωμία*, *πόλισμα*, *περιοικίς*, *πολίχνη*, *πολίχνιον*, *κατοικία*, *κτοινά*, *τόπος*, *χώρα*, *χωρίον*, *ἐμπόριον*, *ἔρυμα*, *φρούριον*, *πύργος*, and *τεῖχος* are common[3]. To these might be added *stationes*, *regiones*, and *mansiones* which came in under Roman administration[4]. In inscriptions δῆμος, *κώμη*, and *κατοικία* are the terms usually applied to villages[5].

Under Roman rule village-communities which were not under the control of a municipality might be found on private or imperial estates, or under the control of priests in a temple-state, or grouped in a sort of commonwealth (*κοινόν* or *ἐπαρχία*) whose administrative centre was a *μητροκωμία*. Since the Romans followed the Greek policy of extending the municipal organization wherever possible, many of these villages were transformed into cities. The *μητροκωμία* usually became the metropolis and the dependent districts formed the *territorium* of the new city. In founding Zela, Pompey added to its territory several eparchies[1]. The temple-states, which were a characteristic organization in Asia, were composed of groups of villages under the administration of the priests attached to the temple. Although the residents in these communities were usually *hieroi* or *hierodouloi*, whose status was virtually serfdom, some form of political organization was probably permitted[2]. The temple-states were deprived of their power either by the Greek kings or by the Roman rulers, and the seat of the temple usually became the civic centre, while the estate was converted into the *territorium* of the city. The worship of the god became the civic cult. Some of these temple-states were added to the estates of the emperors[3]. In Judea the destruction of Jerusalem brought an end to the power of the temple as an administrative factor in the control of the Jewish villages.

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[1] Xenophon, *Hellenica*, 5. 2. 7. For the dispersion of Phocian towns by the Amphictyonic Council in 346, see Diodorus, 16. 60. 2.

[2] Plutarch, *Aratus*, 45; Xenophon, *op. cit.* 4. 4. 6.

[3] These terms are found constantly in Strabo.

[4] Kuhn, *Die städt. u. bürgerl. Verfassung d. röm. Reichs*, 2, 238, 317 n. The development of military *canabae* into municipalities is not common in the Orient. Leǧǧûn in Syria probably took its name from the military camp established in the town Caparcotna (*Rh. Mus.* 58 (1903), 633). *Cf.* Brünnow, *Prov. Arab.* 2. 24 *ff.*

[5] For the distinction between *κώμη* and *κατοικία*, *cf.* Chapot, *La prov. rom. proc. d'Asie*, 97 *f.* *R.E.* *s.v.* *κατοικία*.

On the imperial estates the agent of the emperor was probably the administrator of the smaller communities, where the tenants were chiefly serfs. In the larger villages there was a quasi-municipal organization which probably developed as a result of the settlement of free tenants who formed the nucleus of a *curia*, or it arose from a *collegium* of residents formed for social or religious purposes. The development of political institutions seems to have been encouraged, for many of the imperial estates were incorporated as municipal *territoria*. A good example of this may be seen in the inscription from Pogla which shows the two stages of its development[4].

Since the Romans were eager to extend the municipal system over the provinces as soon as possible, many of the new cities founded by them were given territory of vast extent. In the course of time many of the larger villages within the *territorium* were given municipal charters of their own. Tymanda may be cited as an example of this development, and Orcistus, which had once been a city before it was reduced to the status of a village under the jurisdiction of Nacoleia, was restored to its former status in the fourth century[1]. The process of development and decay may be traced in different parts of the empire at all periods. Ilium had degenerated into a sort of village-town (κωμόπολις) before it was restored by the emperors[2]. Strabo describes Chrysopolis as a village in his day[3]. Byzantium and Antioch were penalized by the emperors for political reasons and were deprived of civic rights for a time by being made villages of neighboring cities[4]. The large number of cities named Hierapolis shows how the temple-states were transformed into municipalities, and among the seats of Christian bishoprics such names as Chorio Myliadica, Agathe Come, Demulycaon, Panemoteichus, Regepodandus, Chora Patrimonia, Ktema Maximianopoleos, and Salton Toxus may serve to illustrate the development of cities out of villages, of which some were originally part of an imperial estate[5]. Constantine is credited with great activity in transforming villages into cities, and all emperors encouraged this policy in order to create a body of *curiales* who would be responsible for the collection of imperial taxes[6].

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[1] Strabo, 12. 37. 1.

[2] Ramsay, *Cities and Bishoprics*, 1, 102; Strabo, 12. 3. 1; 12. 34–37.

[3] Rostowzew, *Gesch. d. röm. Kol.* 276 *ff.*

[4] No. 122; *cf.* p. 32.

In distinguishing between a village and a city, ancient writers imply that the former possessed no political sovereignty, but it is evident that most villages had some form of organization whereby the members could legislate in social, religious, and administrative matters, however much their freedom in initiative and performance may have been restricted. Many communities copied their metropolis by adopting civic institutions, such as the *ecclesia* and *gerousia*. Sometimes a group of villages united in a κοινόν for the celebration of festivals and games[1]. We find frequent records of honorary decrees passed by village-assemblies, and of public works undertaken at their expense[2]. They had revenues under their control, some of which came from lands which they owned and could dispose of by sale[3]. They had advocates (ἔκδικοι) to defend their interests, and judges to administer the law[4]. Officials such as comarch, demarch, *brabeutae*, *logistae*, *prytaneis*, recorders (ἀναγραφεῖς), agoranomi, secretary, and οἱ βασιλεύοντες are found, and even the *summa honoraria* is sometimes exacted[5]. In Syrian villages mention is made of σύνδικοι, πίστοι, διοικηταί, προνοηταί, στρατηγοί, and ἐπιμεληταί[6]. We cannot tell whether the officials in the villages were elected locally or were appointed by the municipal government. According to the Codes the government of villages and *mansiones* in the fourth century was entrusted to citizens as a municipal liturgy[7]. It is doubtful if this system was universal, since Syrian inscriptions and the statements of Libanius imply that the village-officials were independent of the municipal government[1]. It is evident that, in the disorder which prevailed during the third and fourth centuries, villages distant from the metropolis and unprotected by it had either fortified themselves and become semi-independent, or had placed themselves under the protection of some powerful noble, to whom they gave their full allegiance. The development of this type of patronage was an important cause of the decline of municipal institutions, since great stretches of territory passed out of the control of the cities, especially when brigandage and war were factors of everyday life. In the Byzantine empire the spread of independent village-communities was a characteristic feature of the revival of oriental influences and the decay of Hellenism, although their development was also due in large measure to the peculiar political and economic conditions of the age[2].

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[1] Nos. 151, 154.

[2] Strabo, 13. 27. 1.

[3] Strabo, 12. 42. 2; Cicero, *ad fam.* 4. 5. 4.

[4] Herodian, 3. 6. 9.

[5] Ramsay, *op. cit.* 1. 84 *ff.*; Kuhn, *op. cit.* 238–9, 289, 299, 301, 304, 368; no. 122.

[6] Socrates, *Hist. Eccl.* 1. 18; *cf.* nos. 151, 154.

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[1] *Dict. Dar. s.v.* κώμη.

[2] Cagnat, *IGRR*. 3, 692, 1397; 4, 756, 1367; Ramsay, *op. cit.* no. 498. Juristic personality recognized by law, *cf. Dig.* 3. 4. 1; 30. 1. 73; 47. 22. 4; *Cod. J.* 2. 59. 2.

[3] Cagnat, *IGRR*. 4, 1387, 1607; Lebas-Waddington, 2556; Ditt. *Or. Gr.* 488.

[4] No. 113.

[5] *Cf.* indices to Lebas-Waddington, Cagnat, *IGRR*, and *IG*. The *comogrammateus* of Judaean villages shows the persistence of Ptolemaic influence. In Cagnat, *IGRR*. 4, 1371 οἱ βασιλεύοντες imply the priest-kings of a temple-state. For the *summa honoraria*, *cf.* no. 150 and *Journ. Rom. Studies*, 8 (1918), 26 *ff.*

[6] Lebas-Waddington, 2127, 2130, 2240, 2399, 2547, 2556; Prentice, *Trans. Am. Phil. Assoc.* 43 (1912), 113 *ff.*

[7] *Cod. Th.* 12. 1. 21 (335); *Cod. J.* 10. 72. 2.

The relation of the village to the metropolis in financial matters cannot be traced in detail, since few documents throw light on the subject. The revenues of the city were chiefly derived from the *territorium*, and the villagers were, in effect, regarded as lessees in perpetuity of the lands which they worked. The rental which they paid not only contributed to the support of the municipality, but also helped to make up the quota of imperial tribute. Other requisitions, such as the head and house tax, were levied[3]. Villagers, drafted for the settlement of the *emporium* at Pizus, were granted exemption from the quota of grain usually demanded from the villages, from the tax for the support of the *burgarii* or border police, and from garrison duty. No levies could be imposed upon them for beasts of burden required for the public post[4]. The recruiting tax (*aurum tironicum*) was levied on villages as well as on towns in the third century, but we cannot determine whether the municipality collected it, or whether imperial agents enforced the payment[1]. Valens imposed the tax directly on the villages[2]. In Hierapolis the municipal police (παραφύλακες), who were assigned to guard-duty in the country districts, were not allowed to make requisitions upon the villagers except for certain specified requirements[3]. It would seem that every imperial tax and liturgy imposed upon the municipality was passed on to the dependent communities, while a few more were added by the civic authorities as a special act of grace. The plaint that every *curialis* was a tyrant was probably not unjustified. Above all, the imperial requisitions for service in the public post were applied directly to the villages. The drafting of their cattle for angary was particularly burdensome on farmers. Frequent complaints from villages on imperial estates happen to be preserved, since they presented their wrongs to the emperor direct and were able to secure some relief, but the municipal *territoria* must have suffered far more from the exactions of troops and imperial officials[4]. Since the cities were unable to protect the country districts, the villagers were forced to turn for help to the powerful proprietors in their vicinity, and where this protection could not be secured, their impoverishment was only a question of time.

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[1] Libanius, *De patrociniis*.
[2] Ramsay, *Tekmorian Guest Friends*, 306 *ff.*
[3] Cicero, *ad fam.* 3. 8. 5; *Cod. Th.* 11. 24. 6.
[4] No. 131.

In Egypt the Ptolemaic system was perpetuated for the first two centuries of Roman rule. The country was organized in nomes composed of village-communities, each with a metropolis which, by courtesy, was often called a πόλις. The village is usually styled κώμη, but such terms as ἐποικία, ἐποικίον, χωρίον, and τόπος are also found[5]. The chief official (κωμογραμματεύς) was an agent of the imperial government, and sometimes combined two or more villages under his jurisdiction[1]. Police duties were under the supervision of the *archephodus* and *phylaces* of various kinds[2]. The office of *epistates* seems to have disappeared soon after the Roman occupation[3]. The board or council of elders (πρεσβύτεροι) acted with the secretary as the governing body. In this capacity the councillors had no initiative of their own, but served merely as agents of the imperial government. Their responsibility was fixed by law, and the proper performance of their duties was guaranteed by sureties[4]. Each member of the board had to possess a certain standard of wealth which varied according to the importance of the village[5]. Nominations to office were made by the secretary and elders, sometimes jointly, sometimes separately. The appointments were made by the *epistrategus*[6]. The larger villages were sometimes divided into wards, each of which had officials of its own.

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[1] No. 150; *Journ. Rom. Studies*, 8 (1918), 26 *ff.*

[2] Socrates, *Hist. Eccl.* 4. 34.

[3] No. 117.

[4] Nos. 113, 139, 141–144, 152.

[5] *Musée Belge*, 10 (1906), 38 *ff.*, 160 *ff.*; Engers, *De Aegyptiarum κωμῶν administratione qualis fuerit aetate Lagidarum*; Wilcken, *Grundzüge*, c. 1; Jouguet, *Vie munic.* 202 *ff.*

The religious and administrative centre of each nome was called a metropolis, and its organization differed from the villages but slightly. The council of elders was replaced by a council of magistrates (κοινὸν τῶν ἀρχόντων) as a concession to the Greek element which had settled in the community. The magistracies have been classified in three grades as follows: (1) gymnasiarch, (2) exegete, cosmete, eutheniarch, (3) archiereus, agoranomus[7]. The *hypomnematographus* rarely appears in the records, and his official rank is a matter of dispute[8]. Some of these offices were shared by several persons. There were at least six, and probably twelve, gymnasiarchs, but the variation in numbers was regulated by the size of the community and its prosperity at different periods. There were two annual secretaries who acted as imperial agents[1]. They drew up the list of candidates for the manifold liturgies, probably in consultation with the board of magistrates. They also nominated their successors in office. The method of appointment to magistracies cannot be definitely determined for all periods. As a general rule, however, the outgoing officials nominated their successors[2].

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[1] *BGU.* 91, 163; *P. Fay.* 40; *P. Fi.* 8; Jouguet, *op. cit.* 269 *ff.*

[2] Jouguet, *op. cit.* 261 *ff.*

[3] Oertel, *Die Liturgie*, 385; Jouguet, *op. cit.* 259.

[4] Jouguet, *op. cit.* 231; nos. 172, 182, 187, 196.

[5] Jouguet, *op. cit.* 219 *f.*; Wilcken, *Gr. Ostraka*, 506 *ff.*; *P. Giess.* 58.

[6] Jouguet, *op. cit.* 222 *ff.*

[7] Preisigke, *Städtisches Beamtenwesen im römischen Ägypten*, 30 *ff.*; Jouguet, *op. cit.* 292 *ff.*

[8] *P. Oxy.* 1412.

At the beginning of the third century Severus introduced several reforms in the administration of Egypt. A senate was constituted in each metropolis of the nomes. In form each of these towns became a municipality, and its later history need not concern us in this study. The villages of the nome, however, were not included in the *territorium* of the city at first. They continued to be administered by the state, although the nomarch was appointed by the municipal senate which acted merely as an agent of the imperial government in the nome[3]. The villages were also placed under a different administration, for the *comogrammateus* and the elders disappear from the records before the middle of the century[4]. They were replaced by comarchs who seem to have been associated with other officials in a council[5]. The comarchs nominated the *sitologi*, *ephorus*, *quadrarius*, and other local officials, and were responsible for the proper discharge of the duties to which the nominees were assigned. In the fourth century the nome was divided into *pagi*, which were now included in the territory of the city and under its jurisdiction[6].

The Egyptian village was originally a part of the estate of the emperor, and it was organized and exploited solely in the interest of the *fiscus*. Here the liturgy was developed in its most oppressive form[1], and here the peasant was first bound to the soil. The development of municipal government in the third century, which we have described elsewhere, was powerfully influenced by the methods of administration which prevailed in the village-communities in Egypt.

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[1] Jouguet, *op. cit.* 291.

[2] No. 181.

[3] Wilcken, *Gr. Ostraka*, 625; Jouguet, *op. cit.* 387, 390; *cf.* however, no. 200.

[4] Jouguet, *op. cit.* 214 *f.*

[5] *Ibid.* 393.

[6] Gelzer, *Studien zur byzantinischen Verwaltung Ägyptens*, 57 *ff.*; *cf.* however, Jouguet, *op. cit.* 397.

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[1] We have omitted a discussion of the Egyptian liturgy here. *Cf.* pp. 99*ff.* and especially the comprehensive work by Oertel, *Die Liturgie*.

## CHAPTER IV

# THE SALTUS IN ASIA AND EGYPT

THE Greek cities in Asia, under the Diadochi, were allowed the right of ownership of land within their own *territoria*, but, unless especially exempted, they were required to pay to the king a tax on property under their jurisdiction[1]. The remainder of the royal dominions consisted of crown-lands, which could either be leased or worked by royal agents with slave or free labor, or by tenants who paid a tithe of their produce to the king. These tenants held their leaseholds in hereditary succession, and, in case the land was sold, they passed with the property into the possession of the new owner. They were grouped in villages (*κατοικίαι*, *κῶμαι*, or *χωρία*), where they enjoyed a limited measure of political activity. The royal estates were frequently reduced in extent by the foundation of military colonies, by the grant of civic status to villages, by sale, or by gift[2]. When the king transferred his right of possession to another, the land was usually included within the territory of the city in which the new owner resided. Hereditary tenants, therefore, were not peculiar to the royal possessions, but were often found on the lands belonging to the cities, or on private estates within their bounds. Such was the system of land tenure which the Romans found in Asia, and it is apparent that they adopted it with slight change. The crown-lands became the *ager publicus* of Rome and the cities retained possession of their territory, for which they paid rental in the form of an annual tribute to Rome. The Roman governors followed the policy of the Hellenistic kings in extending the municipal system at the expense of the public lands as well as of the temple-states. This movement was doubtless favored by the *publicani* since it simplified the problem of tax-gathering and facilitated the collection of loans[1].

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[1] The history of land tenure on the royal and imperial estates of Asia is summed up by Rostowzew, *Gesch. d. röm. Kol.* 229 *ff*. *Cf. R.E. s.v. Domänen.*

[2] Rostowzew, *op. cit.* 248 *ff*. *Cf.* Buckler and Robinson, *AJA.* 16 (1912), 11 *ff*.

Under the empire, the private estates of the emperor and the *ager publicus* came ultimately under the same administration. The imperial possessions were augmented by confiscation, fines, and bequests. As the kingdoms of client princes came into the empire, many of the royal estates were added to those of the emperor, while others were devoted to the foundation of cities. Fortunately, the tendency to over-expansion in the imperial estates was counterbalanced by the policy of extending the municipal system as widely as possible. The inscription from Pogla shows the transition from a village on one of the estates to municipal rank, and the names of the early Christian bishoprics indicate that many of them had once been imperial property[2].

Little is known of the actual methods of administration of the Asiatic imperial estates. We have, however, traced elsewhere the details of the western organization, and, since the latter was probably borrowed from the East, we refer the reader to the description of the western *saltus*[3]. The tenants were largely of the class of hereditary serfs, although we also find records of citizens from the municipalities who held imperial leaseholds[4]. The position of imperial tenants was probably more favorable than that of landowners in the towns since the former were assured of imperial protection, and were free from the oppressive municipal liturgies. With the development of imperial liturgies, however, the inhabitants of the villages on the estates of the emperor were subjected to these charges, and in the third century we have several records of their complaints against the exactions of soldiers and officials[1].

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[1] Rostowzew, *op. cit.* 277 *ff.*; *cf.* no. 14.

[2] No. 122; *cf.* p. 23.

[3] *Cf.* pp. 15 *ff.*

[4] Ramsay, *The Tekmorian Guest Friends*, 361 *ff.* *Cf.* no. 142.

When a municipal charter was granted to a village on an imperial estate, some change must have been made in the status of the residents. The free tenants would naturally form the nucleus of the senate, and the imperial agents may have become the first magistrates of the new town. Of the hereditary tenants, some continued to hold the position of serfs on the public lands of the city, but the more wealthy were undoubtedly raised to the rank of free citizens in order to create a sufficient number of *curiales* who would be responsible for the various obligations of the municipality. Unfortunately, no evidence has been preserved which enables us to determine definitely these points, but inscriptions from Asiatic towns sometimes reveal that the population was divided into classes of different status[2]. The lower grades may represent the original stock or the class of hereditary serfs.

In order to understand fully the Roman administration of Egypt, it is necessary to describe briefly the system of land tenure under the Ptolemies[3]. With the exception of the few cities which were founded by them, the Nile valley was the personal property of the sovereign. The crown lands (γῆ βασιλική) were under the direct administration of the royal bureaus. The remainder was called γῆ ἐν ἀφέσει or "surrendered" land.

The "surrendered" land may be subdivided as sacred (ἱερά), military (κληρουχική), and private (ἰδιόκτητος). Royal agents administered the sacred assignments in the interests of the temples[4]. The cleruchic land was assigned to the soldiers and to certain members of the bureaucracy.

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[1] Nos. 139, 141–144.

[2] Liebenam, *St. Verw.* 216 *ff.*; no. 122.

[3] *Cf.* Rostowzew, *op. cit.* 1 *ff.*; Wilcken, *Grundzüge*, 270 *ff.*; Bell, *Journal of Egyptian Archaeology*, 4 (1917), 86 *ff.*

[4] Wilcken, *op. cit.* 278 *ff.*

The lessees, who were usually Greeks, were under obligation to render military service when called upon, and to pay a small ground rent. In making these grants the Ptolemies had a double purpose in view. The Greek soldiers were given a stake in their new home, and the cultivated area of the Nile valley was extended, for the military leases usually covered lands technically classified as sterile (ὑπόλογον, χέρσος), and the lessee was under obligation to cultivate his holdings. The lease could be cancelled at the will of the king, but the lessee had the right to sublet his property, and it could pass to his heirs as a virtual inheritance[1]. Land "surrendered" to private individuals (γῆ ἰδιόκτητος) consisted of two main classes: (1) Vineyards and orchards called κτήματα. These holdings are generally supposed to represent property privately owned in Persian times, or new land brought under cultivation by the owner. (2) Lands held on hereditary leasehold which could be bought, sold, mortgaged, or bequeathed with the same freedom as if held in full private ownership. The "surrendered" land was taxed with an annual rental to the crown, and if the tenant fell into arrears in his rental, his lease was liable to confiscation[2]. There was also another class which might properly be included under private ownership: favorites of the king were often given grants (γῆ ἐν δωρεᾷ), on which no rental was imposed.

The greater part of Egypt and the most fertile soil was crown land (γῆ βασιλική), which was worked by royal tenants (γεωργοὶ βασιλικοί). The leases ran for a term of years (usually five), and were granted to the highest bidder at public auction. The lessees were under oath not to leave their holdings between seed-time and harvest. In this arrangement we may find the beginning of the system which was later to bind the tenants to the soil as were the royal serfs of Asia. While the interests of his tenants were safeguarded by the king, they were subjected to unusual burdens in times of economic stress, and were often compelled to take over leases against their will. In some cases they even resorted to flight to escape their obligations[1].

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[1] Wilcken, *op. cit.* 280 *ff.*

[2] *Op. cit.* 284 *ff.*

Under Roman rule the "surrendered" land disappeared as a separate class, and in its place we find land which was held in complete private possession (γῆ ἰδιωτική, γῆ κατοικική, γῆ κληρουχική, and οὐσίαι). The public lands fell into two great categories: the λόγος διοικήσεως (including the γῆ βασιλική, γῆ δημοσία, γῆ ἱερά, and probably the γῆ προσόδου), and the λόγος οὐσιακός. The royal lands were leased under the same conditions as before. The "public" lands (γῆ δημοσία) cannot be distinguished from the royal lands except in details of administration[2]. The term δημόσιοι γεωργοί came to be applied to tenants on both crown and public lands. The sacred lands were very materially diminished by the Romans[3]. The confiscated properties were added to the imperial possessions, while the remainder was administered by imperial agents in the interest of the temples. In the third century the temples seem to have been brought under the control of the local senate in each metropolis, and the sacred lands gradually passed into the municipal *territorium*. The "revenue" lands (γῆ προσόδου) appear as a new class under Roman rule, and their characteristics cannot be clearly determined. Rostowzew believes that they represent sequestered property which remained in the hands of the original owner until the obligations to the state were discharged[4]. Meanwhile the land formed a special class, and the revenue went to a special division of the imperial bureaus.

The γῆ οὐσιακή consisted largely of estates which had once been held by members of the imperial family, favorites, or friends in the senatorial and equestrian order, and had probably been free of any tax or rental. In the course of the first century these estates came into the possession of the emperors, and constituted a curious sort of imperial patrimony within Egypt, which as a whole was regarded as a personal possession of the crown[1]. While the *γῆ οὐσιακή* was under the administration of a separate bureau (*λόγος οὐσιακός*), the tenants, known as *γεωργοὶ οὐσιακοί*, seem to have received the same treatment as those on public property. The *μισθωταὶ οὐσιακοί* are also found as tenants, apparently with the same status as the *γεωργοί*, although it is believed that their leases were for fixed periods and were assigned to the less valuable land. Such leaseholds could be sublet, but the sublessees were directly responsible to the imperial agents from whom also they received the right of taking over the lease.

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[1] Wilcken, *op. cit.* 272 *ff.* [2] *Op. cit.* 288 *ff.* [3] *Op. cit.* 300 *ff.*
[4] Rostowzew, *op. cit.* 135 *ff.* *Cf.* Wilcken, *op. cit.* 296 *ff.*

The administration of Egypt as an imperial domain was under the control of a prefect assisted by an elaborate bureaucracy[2]. Apart from the Greek cities, the whole Nile valley was divided into three administrative districts over each of which an *epistrategus* exercised authority as the deputy of the prefect. These districts were again divided into nomes under the supervision of a *strategus*. The nomes were divided into toparchies in which were the villages. The administrative centre of each nome was the metropolis. The organization of the village-communities and the metropolis has been described elsewhere[3]. Here we need only recall the fact that the officials of the villages acted as agents of the bureaucracy rather than as servants of the community. Corporate liability was early recognized and enforced[4]. The community as a whole was liable for the default of any of its members, and in some cases the village was compelled to take over leaseholds which had been vacated, or for which no tenant had bidden at the official auctions.

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[1] Rostowzew, *op. cit.* 119 *ff.*

[2] Wilcken, *op. cit.* 28 *ff.*

[3] *Cf.* pp. 27 *ff.*

[4] Wilcken, *Chrestomathie*, 345

One of the most noteworthy features of the Roman administration of Egypt was the growth of private ownership of land. The descendants of the soldiers of the Ptolemies were no longer subject to military service and the cleruchic land, in so far as it had not been confiscated by Augustus, passed into the private possession of the former occupants[1]. The catoecic lands were also treated in the same way. Both paid an annual tax to the bureaus. Thus there was created a large class of landowners with small holdings. The development of the liturgical system probably had decisive influence in the new policy. Liturgies could not be imposed upon a citizen unless he owned property which could be held as surety for the proper discharge of his obligations, and the Romans doubtless found that tenants could evade their responsibilities more easily than owners. Private ownership must have been common when the municipal organization was extended to the metropolis of each nome in A.D. 202. In the fourth century the γῆ βασιλική and the γῆ δημοσία disappear from the records. These lands either became the property of private individuals who were given possession under an obligation to cultivate them, or they had been incorporated in the territory of the municipalities.

As the economic pressure increased in Egypt, it became more and more difficult to find tenants for the imperial lands. Two solutions of the problem were attempted. Compulsory tenantry was adopted, which led to the development of serfdom. In some cases tenants were arbitrarily transferred to abandoned districts from profitable holdings, in the hope that successful farmers might be able to reclaim the exhausted land[2]. The second device was the principle of *adiectio* (ἐπιβολή). This was a form of compulsory leasehold, whereby lands, for which no tenants had applied, were arbitrarily assigned to private owners, or to tenants on the imperial estates, or even to the villages as corporate communities[1]. As a rental was imposed, the unwilling lessee was obliged to cultivate the land in some fashion. In a few cases we find records of leases which specified "that the land was free from the obligation to cultivate royal or public lands," and where this clause does not appear it is probable that the liability to *adiectio* was implied[2].

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[1] Bell, *loc. cit.* 89 *ff.*

[2] Wilcken, *Grundzüge*, 293 *f.*

In a narrow sense, the history of Egypt under Roman rule may be viewed as a struggle for supremacy between two systems of administration; the bureaucratic imperial estate *versus* the municipal organization. The victory rested, though only in name, with the latter, since the imperial estates were gradually merged in the municipal *territorium*, but in fact the city became a mere instrument in the hands of the bureaucracy and functioned solely as an agent of the imperial government. This development and its influence on the cities in other parts of the empire are subjects treated elsewhere[3]. The failure of the Romans to carry out the system of the Ptolemies is due to a variety of causes. Egypt was too remote from the capital, and the natives were exploited by the official class. The tribute imposed upon the country exhausted its resources. Depopulation and abandonment of the less fertile areas followed. Finally, the exaction of imperial requisitions and the development of the liturgical system resulted in the restraint of personal liberty and reduced the population to political and economic serfdom[4].

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[1] Wilcken, *op. cit.* 292; Zulueta, *de patrociniis vicorum*, 43.

[2] Wilcken, *Chrestomathie*, 355–359.

[3] *Cf.* pp. 194 *ff.*

[4] For the development of the principle of *origo* in Egypt, *cf.* nos. 168, 175, 192, 193 and pp. 194, 217 *ff.*

## CHAPTER V

# CIVITATES LIBERAE ET IMMUNES AND CIVITATES STIPENDIARIAE

WE have tried to classify communities in the Roman empire according to their origin, character, and juridical relation to Rome or to other cities. It is convenient to group them also on the basis of their freedom from the payment of tribute, or their obligation to pay it. From 89 B.C. to the time of Diocletian Italy was free from this charge[1], but from land outside Italy a rental in kind (*decumae*), or a fixed sum of money (*stipendium* or *tributum*) was expected. Exemption from this payment could be had only as a privilege. We find, therefore, in the provinces two classes of communities, *civitates stipendiariae* and *civitates immunes*, or, to use for the second class the term more commonly employed in antiquity, *civitates liberae et immunes*. The circumstances which often led Rome to grant freedom or exemption from taxation to a city are illustrated in the case of Utica which assisted Rome in the third Punic war[2]. For a similar reason Antony made Laodicea a *civitas libera et immunis*, because of the sturdy resistance which it had offered to Cassius in 43 B.C.[3] Sometimes the fortunate city owed its privileges to the generosity of the Roman people, as Delphi did[4], or to the favor of a Roman general, as in the case of Aphrodisias[5].

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[1] Marquardt, *St. Verw.* 2, 177 *ff.*

[2] Appian, *Pun.* 75, 135; *cf. CIL.* 1, 200, l. 75.

[3] Appian, *B.C.* 4. 62; 5. 7.

[4] *Cf.* Henze, *De civitatibus liberis*, 34.

[5] *Cf.* Henze, *op. cit.* 52 *f.*

The recognition of a community as a free city[1] usually carried along with it exemption from the payment of tribute, but under the republic the free cities were not always safe from the imposition of taxes at the hands of greedy governors or needy generals[2], and under the early empire cities made "free" did not necessarily have even a technical claim to immunity from taxation[3]. However, in the great majority of cases in both periods it is probable that cities of this class enjoyed the privilege mentioned[4], so that in a particular instance, when evidence to the contrary is not available, it is wise to take it for granted that a free city was *immunis*.

Freedom might be granted to a city by a treaty, in which case the city bore the title of a *civitas foederata*[5], or in the second place it might come through a law, or through a decree of the senate. Cities of the latter sort were called *civitates sine foedere liberae et immunes*. The rights of these two classes of communities were essentially the same, but the privileges of a federated city were based upon a treaty, and, therefore, irrevocable[1], whereas a law or a decree of the senate, upon which the claims of cities of the second class were based, could be repealed at the will of the Roman people or senate[2]. Reference is frequently made to the treaties into which Rome had entered with other cities, but none of the treaties has been preserved in its entirety[3]. Almost all of them, so far as we can determine their dates, belong to the period of the republic[4]. Evidently, as time went on, Rome became less generous than she had been in earlier days in granting rights in perpetuity. Her early acts of generosity had come out of a grateful recognition of services rendered in times of great peril. Then too these favors granted to her supporters and her stern treatment of hostile cities would serve to show in future wars what friend and foe might expect from her. With the world at her feet, she had no more crises to face.

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[1] It is important to notice that cities which are styled free by the ancient historians are sometimes not technically *civitates liberae*. Thus, for instance, Flamininus in 196 B.C. declared (*cf.* Livy, 33. 32. 5–6) the Corinthians and certain other peoples free, because they were released from the domination of Philip, but this action did not make them *civitates liberae* (*cf.* Henze, *op. cit.* 2). The term *αὐτονομία*, used in the East, must also be distinguished from *libertas*. It indicates the granting to a city of the privilege *suis legibus uti* (*cf.* Mommsen, *St. R.* 3, 724), but these laws may be administered under the supervision of Roman magistrates.

[2] *Cf.* Marquardt, *St. Verw.* 1, 72, n. 1; Henze, *op. cit.* 4.

[3] This seems to have been true, for instance, of Magnesia and Sipylum, Chios and Apollonidea (*cf.* Mommsen, *St. R.* 3, 683, n. 4; 682, n. 3).

[4] The fact that Pliny in his lists characterizes only a few free cities as *civitates immunes* does not prove that many others were not free from the payment of tribute (*cf.* Mommsen, *St. R.* 3, 683, n. 4).

[5] This term is used in its technical sense only once in the Latin inscriptions, but it is frequent in literature; *cf. Diz. Ep.* 2, 255 *f.* To the list of *civitates foederatae* given by Marquardt (*St. Verw.* 1, 75 *f.*) Kabbadias has recently added Troezen (*cf. IG.* IV, 791), Thurreium of Acarnania (*cf. IG.* IX, 483), and Epidaurus (*cf.* Ἐφ. Ἀρχ. 1918, 166 *ff.*). The term *socii* was a purely honorary title, and did not imply a treaty nor the possession of special rights; *cf.* Henze, *op. cit.* 6.

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[1] Occasionally the Romans did not observe the sanctity of these treaties. Suetonius writes (*Aug.* 47): urbium quasdam, foederatas sed ad exitium licentia praecipites, libertate privavit. From Cassius Dio, 54. 7. 6, Cyzicus, Tyre, and Sidon would seem to be the cities concerned. Rhodes and Malaca were at one time federated cities. Later they lost this status. Perhaps they were thought to have denounced the treaty with Rome, when they took sides against her.

[2] An interesting commentary on the uncertain position of the *civitates sine foedere* seems to be furnished by the statement of Suetonius concerning the exceptional good fortune of the people of Ilium. Of them he says: Iliensibus quasi Romanae gentis auctoribus, tributa *in perpetuum* remisit (*Claud.* 25).

[3] Such references may be seen in Livy, 38. 8. 10 and Tac. *Ann.* 2. 53. For fragments of the treaty with Astypalaea, *cf.* Viereck, *Sermo Graecus*, p. 42, no. 21 and *Rhein. Mus.* 44 (1889), 446.

[4] *E.g.* the treaty with Massilia is perhaps as early as 389 B.C. (*cf.* Justin, 43. 5. 10); that with the Vocontii is known in the first century B.C. (*CIL.* XII, p. 160); the treaties with Tauromenium and Neaetum are mentioned by Cicero (*in Verr.* 2. 160; 3. 13 and *ibid.* 5. 56; 5. 133); the treaty with Rhodes grew out of the war with Perseus (Livy, 45. 25. 7), and the treaty with Astypalaea belongs to the year 104 B.C. The treaty with Aphrodisias (*cf.* no. 29) is also of the republican period. Perhaps an example of a treaty, made under the empire, conferring the rights of a free city, exists in the case of Tyrus (Henze, *op. cit.* 76).

The *lex Antonia de Termessibus* of 71 B.C. gives us a typical specimen of a plebiscite establishing a free city, and there is a decree of the senate with the same object in view in the case of Stratonicea[1]. The initiative in granting this privilege was frequently taken by some successful general or by the emperor[2].

The rights of free cities, whether guaranteed by a treaty with Rome or granted in a law or in a decree of the senate, were liable to cancellation or abridgment on the ground that the cities had broken faith with Rome or had not been loyal to her. On the other hand, a city sometimes regained its lost rights, or the privileges of a free city were conferred on a community which previously had lacked them. Thus Tyre was free under the republic, lost its freedom under Augustus[3], but regained it later[4]. Mitylene had the right of receiving exiles in Cicero's time[5] and was, therefore, probably free, lost its privileges, apparently in the first Mithradatic war[6], but received them later again at the hands of Pompey[7]. The people of Locri Ozolae seem to have been *immunes* at the beginning of the reign of Augustus, but to have been reduced to the position of *attributi* of Patrae before the close of it[8]. Altogether in the Roman world there were two hundred or more cities which permanently or temporarily bore the title of "free cities[9]." Of these, Africa and Asia, with approximately thirty-nine and thirty-five respectively, could boast the largest number[1].

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[1] The *Lex Antonia* is no. 19 in this book. The decree in the case of Stratonicea is no. 17. An inscription found in the ruins of Tabae (no. 16) is a *senatus consultum*, apparently conferring the rights of *civitates liberae* on a group of cities; *cf.* Chapot, *La prov. rom. proc. d'Asie*, 38 *ff.*

[2] *Cf.* Tac. *Ann.* 12. 61 and Kuhn, *Die städt. u. bürgerl. Verfassung d. röm. Reichs*, 2, 20 *f.*

[3] *Cf.* Marquardt, *St. Verw.* 1, 395, n. 2.

[4] *Cf. Dig.* 50. 15. 1.

[5] *Cf.* Cic. *Brut.* 250; *ad Att.* 5. 11. 6.

[6] *Cf.* Suet. *Iul.* 2.

[7] *Cf.* Vell. 2. 18.

[8] *Cf.* Henze, *op. cit.* 34.

[9] *Cf.* Henze, *op. cit.*

The nature of the rights and privileges which a free city enjoyed may be best inferred from the *lex Antonia de Termessibus*. The first privilege mentioned in this document is the right *uti suis legibus*[2]. It gave Termessus the right to govern under its own laws, to repeal and amend them, and to pass new ones, subject only to the limitation, *quod advorsus hanc legem non fiat*[3]. It implied also the administration of justice by local courts. Next in order in the law is the right to hold land free from the land tax[4]. This freedom from taxation is set forth more fully in the case of certain free cities in Africa[5]. Inasmuch as the people of Termessus are made masters of their own territory by this concession, the Roman governor may not exercise authority in it, and it is thought of as lying outside of his province[6]. He may not even enter the city in his official capacity[7]. The two rights which have just been mentioned are the most fundamental ones, and the autonomy of the free city was based primarily on them.

The third right guaranteed in the *lex Antonia* is freedom from the establishment of winter quarters for Roman troops in Termessus[1]. This provision does not prevent Roman soldiers from passing through the city or being billeted temporarily in it, and by special authorization of the Roman senate troops may be quartered in Termessus[2]. In the same paragraph the right of Roman officials to requisition supplies in accordance with the limitations of the unknown Porcian law is recognized[3].

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[1] For the free cities of Asia, *cf.* Brandis, *R.E.* 2, 1540–1543.

[2] *Cf.* no. 19, Col. 1, ll. 8–9. For similar expressions, *cf.* Livy's statement (38. 39. 12) concerning the Phocaeans: ut legibus antiquis uterentur permissum, and Trajan's remark concerning Amisus (Plin. *Epp. ad Trai.* 92): Amisenorum civitas libera et foederata beneficio indulgentiae tuae legibus suis utitur.

[3] No. 19, Col. 1, ll. 10–11.

[4] *Ibid.* Col. 1, ll. 12–35.

[5] *Cf. lex agraria* (= *CIL.* 1, 200), ll. 85 *ff.*

[6] This is the significance of the account which Suetonius gives (*Iul.* 25) of Caesar's arrangements in Gaul: omnem Galliam,...praeter socias ac bene meritas civitates, in provinciae formam redegit eique $\overline{\text{CCCC}}$ in singulos annos stipendii nomine imposuit; *cf.* Suet. *Vesp.* 8: Achaiam, Lyciam, Rhodum, Byzantium, Samum libertate adempta...in provinciarum formam redegit.

[7] *Cf.* Mommsen, *St. R.* 1, 378, n. 1; 3, 689. When we find Roman governors holding court in certain free cities in later times (*cf. op. cit.* 3, 689, n. 4) we may surmise that permission had been granted by the cities themselves, whose trade would profit by the influx of litigants, witnesses, and officials; *cf.* the case of Apamea in Dio Chrys. 35. 14.

The next paragraph in the law seems to reestablish certain preexisting rights of the people of Termessus in their relations with the Romans[4]. The local courts could take cognizance even of cases where Roman citizens were concerned, but probably in such cases certain restrictions were put on the exercise of authority by the local magistrate[5].

The last article recognizes the right of Termessus to levy inland and maritime customs dues[6]. This privilege was not restricted to *civitates liberae*. Indeed the one extant specimen of a table setting forth port dues or *octroi* is from Palmyra, a city which was not free[7]. In the matter of allowing the imposition of customs dues by local authorities the policy of the central government changed from one period to another. Under later emperors, like Alexander Severus and Julian, Rome was more liberal than she had been under Tiberius[8]. This change in policy may be due to the general demoralization of civic finance. In Termessus the produce belonging to Roman tax farmers was exempt from the payment of duty[1]. In other cases Roman citizens and even Latins were not required to pay local *portoria*[2]. Three considerations probably influenced the central government to limit and, in some cases, to cancel the local right to levy customs duties: (1) the desire to give preferential treatment to Roman citizens, and to bring the trade of the world into the hands of Rome; (2) the importance of lowering the cost of merchandise brought to Italy, and (3) the establishment of an imperial tariff for revenue[3].

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[1] No. 19, Col. II, ll. 6–13.

[2] *Ibid.* Col. II, ll. 11–13.

[3] *Cf.* G. Rotondi, *Leges publicae populi Romani*, 269.

[4] No. 19, Col. II, ll. 18–30.

[5] *Cf.* Mommsen, *St. R.* 3, 701–706.

[6] No. 19, Col. II, ll. 31–37.

[7] *Cf.* Dessau in *Hermes*, 19 (1884), 486–533. The Palmyra tariff is clearly municipal; cf. *ibid.* 527 *ff.*; Rostowzew, *Geschichte d. Staatspacht*, 405; Hirschfeld, 81, n. 1; *cf.* also commentary on no. 61 and p. 140, n. 2. The dues collected at Zarai (*cf. CIL.* VIII, 4508) were probably imperial; *cf.* Cagnat, *Les impôts indirects chez les Romains*, 116; Rostowzew, *op. cit.* 403. For the case of Koptos in Egypt, *cf.* Dittenberger, *Or. Gr.* 674; *Rom. Mitth.* 1897, 75 *ff.*; Wilcken, *Ostraka*, 1, 347 *ff.*

[8] Liebenam, *St. Verw.* 22 *f.*

Two privileges which were frequently enjoyed by free cities are not mentioned in the *lex Antonia*, viz. the right of receiving exiles and the right of coinage, although it may be noted in passing that the right of a city in the Orient to coin money is not evidence that it was a free city. Up to the time of the first Punic war the federated cities retained their unrestricted right of coinage, although their coins were not legal tender in Rome[4]. However, by the close of the republican period, or in the early empire, with few exceptions, these cities were allowed to issue small coins only, and even the exercise of this privilege was subject to the consent and the control of the central government[5]. By these means Roman coins were made the medium of circulation throughout the world, trade was fostered, and a long step was taken toward making Rome the banking and commercial centre of the world. Incidentally nothing illustrates better than the history of local coinage Rome's policy, as time went on, of restricting more and more the traditional rights of the free cities.

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[1] No. 19, Col. II, ll. 34–37.

[2] *Cf.* Livy's statement (38. 44) of the concession to the people of Ambracia: portoria, quae vellent, terra marique caperent, dum eorum immunes Romani ac socii nominis Latini essent.

[3] The way in which the Roman world was divided into tariff districts with stations for the collection of imperial customs in each may be seen in Cagnat, *op. cit.* 19–82. By the side of this imperial system non-imperial tariff arrangements could not be expected to survive in many cases.

[4] *Cf.* Mommsen, *St. R.* 3, 710.

[5] Mommsen, *St. R.* 3, 713, n. 1, notes on a coin of the free city of Cercina in Africa the phrase *permissu L. Volusi procos.*

The foreign relations of a free city were determined by Rome. Even the federated cities suffered this limitation of complete sovereignty. The treaty with them was a *foedus iniquum*. Perhaps the nearest approach to the exercise of international rights which they had, lay in the privilege of receiving exiles—a privilege of doubtful value to them. This right was enjoyed by free cities of both classes[1].

While the privileges mentioned above were those commonly granted to free cities, the fact should be borne in mind that Rome's policy changed from period to period, that she was more generous to one city than to another, and that in the case of some cities *libertas* may have been little more than an honorary distinction.

The system of taxation which the Romans followed in their provinces was first adopted in Sicily, and it is clearly set forth by Cicero in one of his Verrine orations[2]. In this passage he remarks:

> Between Sicily and the other provinces there is this difference in the matter of the land tax, that on the others a fixed contribution, called a *stipendium*, is levied, representing the fruits of victory or a punishment for engaging in war with us. This plan is followed in the Spains and with many districts of the Carthaginians. Or the contract system under the censors has been adopted, as it was in Asia under the Sempronian law. As for the cities of Sicily we accepted jurisdiction over them with the proviso that they should retain the same legal status (*eodem iure*) which they had before, and should submit to the Roman people on the terms (*eadem con-*

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[1] There is no evidence that Smyrna, whither Q. Caepio went into exile (*cf.* Cic. *pro Balbo*, 28), or Patrae, where the exile C. Maenius Gemellus stayed (*cf.* Cic. *ad fam.* 13. 19. 2), were federated cities.

[2] 3. 12–14.

*dicione*) on which they had submitted to their own rulers. A very few of these cities were brought under our rule by our ancestors by force of arms, and, although their territory was made *ager publicus populi Romani*, still it has been given back to them. There are two federated (*foederatae*) cities, viz. Messana and Tauromenium[1], where it is not our practice to collect tithes. Then there are five cities *sine foedere immunes ac liberae*, Centuripae, Halaesa, Segesta, Halicyae, and Panormus. Outside of these, all the land of the cities of Sicily is subject to tithes, and was so before the Roman people ruled it, in accordance with the wish and under the institutions of the Sicilians themselves.

In this statement Cicero tells us plainly that when the Romans acquired Sicily they took over the system of taxation which the Syracusans and Carthaginians had employed before them, the *lex Hieronica*, as he calls it elsewhere[2]. The system may be traced back to Persia through the monarchies of the East and the arrangements of Alexander[3]. The territory of Sicily falls into three main categories. Certain districts which had made a determined resistance were converted into imperial domains[4], a few were exempted from taxation, and all the rest of the island was subject to the payment of tribute. The tax-free cities are of two kinds, as we have already noticed, those whose privileges were guaranteed by a treaty, and those whose rights were granted in some other way. The third class of communities were the *civitates stipendiariae*. In Sicily there were sixty-five *civitates*[5]. Now eight of these were exempt from taxation, because to the two allied cities mentioned here Cicero elsewhere adds a third, Netum[6]. The land of very few (*perpaucae*), perhaps of six cities, styled *civitates censoriae*, was declared *ager publicus*.

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[1] In 5. 56 a third city, Netum, is added.

[2] *in Verr.* 2. 32.

[3] *Cf.* Rostowzew, *Gesch. d. röm. Kol.* 229–240, and the illuminating treatment by Frank, *Roman Imperialism*, 93–99, 108, n. 17.

[4] *Cf.* pp. 15 *ff.*

[5] *Cf.* Cic. *in Verr.* 2. 133 and 137.

[6] *in Verr.* 5. 56.

Consequently, the rest of the cities, about fifty-one in number, were *civitates stipendiariae*. Exact figures for the other provinces are difficult to obtain, but in all of them the taxed communities far outnumbered those which were free from taxation by the central government. Thus, in the time of Pliny the Elder, in Baetica one hundred and twenty out of one hundred and seventy-five cities were tributary cities, in Tarraconensis, one hundred and thirty-five out of one hundred and seventy-nine, in Lusitania, thirty-five out of forty-six[1]. We do not find evidence that in all Asia more than thirty or thirty-five cities out of a total of about five hundred were free at any time[2].

It was the payment by these communities of taxes[3], in Sicily in the form of tithes, which constituted the chief mark of difference between them and the free cities. The other essential feature in their status which distinguished them from the free cities was the fact that each of them belonged to the province, and its internal affairs were subject to the supervision and control of the governor of the province.

Such rights as these cities had they received in the first instance through a *lex provinciae*, drawn up usually by the general who brought the district into subjection or by a senatorial commission[4]. Their status in certain matters was still further defined by the successive edicts of emperors and provincial governors and by occasional decrees of the senate concerning a particular city[5]. Under the republic the power to organize a newly acquired territory into a province rested with the senate, and it was necessary for this body to draw up the fundamental statutes of the province or to ratify the arrangements made by a Roman general[1]. None of the *leges provinciarum* has come down to us, but we have frequent references to them in ancient literature[2], and from these references we can get a conception of the contents of the constitutions drawn up for provincial cities. Thus, under the *lex Rupilia*, the citizens of a given Sicilian community in dealing with one another enjoy the privilege of being subject to their own laws. In an action brought by a citizen of one Sicilian town against another, the Roman praetor chooses the jurors. In an action brought by a Roman against a Sicilian, the judge must be a Sicilian; in the reverse situation, the judge is a Roman[3]. The *lex Pompeia*, among other matters, fixed certain conditions of eligibility to the local magistracies and senates in Pontus and Bithynia, and regulates admission to local citizenship[4]. Outside the *leges provinciarum*, the leader or the commission which organized a province often drew up a special charter for a particular city. Rupilius, for instance, in 132 B.C. gave Heracleia in Sicily a charter, one of whose articles prescribed the method of choosing the members of the local senate[5], and the charters granted to various cities in Bithynia and Pontus, perhaps by Pompey, seem to have differed from one another in some particulars[6]. Probably each city was allowed to preserve in large measure its traditional usages. These original grants were reaffirmed, extended, restricted, or cancelled in subsequent periods by the Roman senate, or by the emperor, and defined in the successive edicts of provincial governors. Two specimens of *senatus consulta*, regulating in some respects the affairs of Teos[1] and Thisbe[2], are extant, but these decrees were adopted in 193 and 170 B.C. respectively, before Teos and Thisbe became parts of a Roman province.

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[1] *Cf.* Schulten, *R.E.* 8, 2037–8.

[2] *Cf.* Brandis, *R.E.* 2, 1540–3; Chapot, *La prov. rom. proc. d'Asie*, 114–121; Kuhn, *Die städt. u. bürgerl. Verfassung d. röm. Reichs*, 2, 6.

[3] For a discussion of taxation in the provinces, see pp. 117 *ff.*

[4] For senatorial commissions in the second and first centuries B.C., *cf.* Willems, *Le sénat de la république rom.* 2, 507, n. 2.

[5] The large number of special measures in existence in the first century of our era, conferring certain privileges on provincial cities, is attested by Suetonius (*Vesp.* 8): aerearumque tabularum tria milia quae simul conflagraverant restituenda suscepit...instrumentum imperii pulcherrimum ac vetustissimum, quo continebantur...senatus consulta, plebiscita de societate et foedere ac privilegio...concessis.

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[1] *Cf.* Willems, *op. cit.* 2, 703–717.

[2] For the *lex Rupilia* which P. Rupilius drew up for Sicily in 132 B.C., after the Slave war, *cf.* Cic. *in Verr.* 2. 32; 2. 38–40; 2. 90; 2. 125; 3. 40. For the *lex Pompeia* in Bithynia, *cf.* Plin. *Epp. ad Trai.* 79, 80, 112, 114, 115; Strabo, 12. 3. 1; Cass. Dio, 37. 20. 2; Livy, *Ep.* 102. For the *lex Metelli* in Crete, *cf.* Livy, *Ep.* 100, and for the *lex Aemilia* in Macedonia, Livy, 45. 32. For Pompey's general arrangements in the East, *cf.* Drumann-Groebe, *Geschichte Roms*, 4, 477 *ff.*

[3] *Cf.* Cic. *in Verr.* 2. 32.

[4] *Cf.* Plin. *Epp. ad Trai.* 79, 112.

[5] *Cf.* Cic. *in Verr.* 2. 125.

[6] *Cf.* Plin. *Epp. ad Trai.* 109: quo iure uti debeant Bithyniae vel

We may form a general conception of the part which the edict of the governor of a province played in building up the law of the land by looking at the summary which Cicero gives his friend Atticus of his Cilician edict[3]. This edict is an *edictum tralaticium*, inasmuch as Cicero has taken over in large measure the edict of his predecessor[4]. He has, however, introduced some provisions from the "Asiatic edict" of Q. Mucius Scaevola. In the same way the *edictum Siciliense* for a given year was modelled on

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Ponticae civitates in iis pecuniis quae ex quaque causa rei publicae debebuntur ex lege cuiusque animadvertendum est.

[1] *CIG.* 3045 = Viereck, *op. cit.* p. 2, no. 2.

[2] *Cf.* no. 5.

[3] *Cf.* Cic. *ad Att.* 6. 1. 15: De Bibuli edicto nihil novi praeter illam exceptionem, de qua tu ad me scripseras, "nimis gravi praeiudicio in ordinem nostrum." Ego tamen habeo ἰσοδυναμοῦσαν sed tectiorem, ex Q. Mucii P. F. edicto Asiatico, "extra quam si ita negotium gestum est, ut eo stari non oporteat ex fide bona," multaque sum secutus Scaevolae, in iis illud, in quo sibi libertatem censent Graeci datam, ut Graeci inter se disceptent suis legibus. Breve autem edictum est propter hanc meam διαίρεσιν quod duobus generibus edicendum putavi; quorum unum est provinciale, in quo est de rationibus civitatum, de aere alieno, de usura, de syngraphis, in eodem omnia de publicanis; alterum, quod sine edicto satis commode transigi non potest, de hereditatum possessionibus, de bonis possidendis, vendendis, magistris faciendis, quae ex edicto et postulari et fieri solent, tertium de reliquo iure dicundo ἄγραφον reliqui. Dixi me de eo genere mea decreta ad edicta urbana accommodaturum, itaque curo et satis facio adhuc omnibus. Graeci vero exsultant, quod peregrinis iudicibus utuntur. Nugatoribus quidem, inquies. Quid refert? Tamen se αὐτονομίαν adeptos putant. *Cf.* also Cic. *ad fam.* 3. 8. 4; *ad Att.* 5. 21. 11.

[4] *Cf.* Cic. *ad Att.* 5. 21. 11; 6. 1. 15; *ad fam.* 3. 8. 4.

that of the preceding year[1]. Cicero tells us that his edict was in three sections. The second part dealt with such matters as the granting of *bonorum possessiones* and *missiones in bona*, and the third section, which was modelled on the edict of the urban praetor, treated *de reliquo iure dicundo*. It is the first section, the part which Cicero characterizes as *provinciale*, which is of special interest to us. This portion of the edict described the policy which Cicero would follow and the rules which he would adopt in handling the accounts of cities, and in dealing with questions involving debt, the taking of usury, transactions in bonds, and the business of the tax farmers. Arrangements were made to relieve many cities of their debts[2], to force dishonest local magistrates to return their ill-gotten gains[3], to keep down the expenses of the Cilician cities[4], to prevent usurers from exacting more than the legal rate of 12 per cent.[5], to save the cities from exorbitant requisitions[6], and to secure their rights alike to the provincials and the tax farmers[7]. These were some of the practical applications of the principles laid down in the first section of Cicero's edict. Governors of provinces, even under the empire, retained the *ius edicendi* which Cicero exercised, but after the codification of the provincial edict under Hadrian, and its legalization by a decree of the senate[8], this right had little practical meaning[9]. Under the empire changes in the status of cities in imperial provinces at least were made under direct instructions from the emperor[1]. Legally these changes held good only during the reign of the emperor who made them, but after the middle of the first century of our era it was customary for an emperor to ratify the acts of his predecessor[2].

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[1] *Cf.* Cic. *in Verr.* 2. 90; 5. 3.

[2] *Cf.* Cic. *ad Att.* 6. 2. 4.

[3] *Cf.* Cic. *ad Att.* 6. 2. 5.

[4] *Cf.* Cic. *ad fam.* 3. 8. 5.

[5] *Cf.* Cic. *ad Att.* 5. 21. 11.

[6] *Cf.* Cic. *ad Att.* 5. 16. 3.

[7] *Cf.* Cic. *ad Att.* 6. 2. 5.

[8] It is still a disputed question whether after the reforms of Salvius Julianus there was an *edictum perpetuum* for each province or a uniform edict for all the provinces; *cf.* Karlowa, 631 *f.* and Girard, *Manuel élém. de droit rom.* 52 *ff.*

[9] In this connection it is interesting to notice that Anicius Maximus, a governor of Bithynia under Trajan, ruled that in certain cities of his province men chosen to the local senates by the censors should pay an initiation fee (*cf.* Plin. *Epp. ad Trai.* 112).

To sum up our conclusions then, the working constitution and the laws of the city of Apamea, for instance, in the second century of our era would be based on the *lex provinciae* of Cilicia, as modified by special concessions, restrictions, or changes made by the senatorial commission or the general who organized the province, and as subsequently changed by decrees of the senate, by edicts or rulings of the governors of Cilicia, or by imperial constitutions or *mandata*. It is impossible, therefore, to give a list of the rights enjoyed by provincial cities of a certain class which will hold for all the cities of that class. This statement is true in particular of the *civitates stipendiariae*. We can, however, specify the privileges which were frequently granted to cities of this sort. The privilege most highly prized by the people of these cities was the retention of their local codes[3] and the right of having their actions at law decided by their fellow-citizens. They retained also their local organs of government—magistracies, senates, and popular assemblies—as we can see clearly from Pliny's letters to Trajan, and communities on the frontier probably had the privilege of raising an armed force in an emergency for self-defence. Cities of this class, with the approval of the emperor or governor, also had the right to lay taxes on their citizens[1], and in some cases to issue copper coins, although the minting of other coins was in the hands of the central government[2].

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[1] See pp. 233 *ff*. For literary specimens of these imperial communications, see the two epistles of Domitian and an edict and epistle of Nerva in Plin. *Ep. ad Trai.* 58. In the seventy-ninth letter an edict of Augustus fixing the minimum age for incumbency of the local magistracies in Bithynia is mentioned by Pliny; in the sixty-fifth letter he speaks of various imperial edicts concerning Asia, Sparta, and Achaea.

[2] *Cf.* Suet. *Tit.* 8.

[3] *Cf.* Cicero's remark in a letter from Cilicia (*ad Att.* 6. 1. 15): multaque sum secutus Scaevolae, in iis illud, in quo sibi libertatem censent Graeci datam, ut Graeci inter se disceptent suis legibus, and, in speaking of the court which he held at Laodicea, he says (*ad Att.* 6. 2. 4): omnes (civitates) suis legibus et iudiciis usae, αὐτονομίαν adeptae, revixerunt. *Cf.* also Cic. *in Verr.* 2. 32. Scaevola had been governor of Asia, so that the same principle must have held in that province also. For the method of choosing jurors in Sicily when Romans or Sicilians of different towns were involved, *cf.* p. 49.

The rights of the tributary cities do not at the first glance seem to differ materially from those of the free cities. Communities of both classes retained their local codes, had their own senates, assemblies, and courts, and had the right to lay taxes and make contracts. But, as we noticed above, the stipendiary cities were subject to the payment of tribute and to all the abuses attendant upon it; they were liable to the constant interference of the governor of the province in their internal affairs, as we can infer from the letters of Pliny, and they had to submit to the billeting of troops and to the requisitions and exactions of Roman officials and soldiers[3]. The two classes of cities discussed in this chapter shared with the *municipia* the privilege of retaining their traditional procedure[4]. Only colonies were required to adopt Roman law. In other words all provincial cities of native origin, except those which were raised to the status of a colony, had the common characteristic of being governed by their own local codes of laws. The edict of Caracalla went far toward raising the stipendiary cities to a level with the other cities of the empire. Up to A.D. 212 the Romans residing in these cities enjoyed a general immunity from local liturgies. Their exemption made the financial burdens of their less fortunate fellow-citizens very heavy. Consequently the granting of Roman citizenship to the natives of tribute-paying cities by Caracalla[1] put all the residents of these cities on an equality, and removed the financial disabilities from which the non-Roman element had suffered.

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[1] See the permission to levy *vectigalia* granted by Augustus to the Saborenses and confirmed by Vespasian, no. 61.

[2] *Cf.* Mommsen, *St. R.* 3, 762.

[3] How vexatious were the requisitions of the soldiers and imperial freedmen is brought out in the appeals for relief made to the emperor in the third century by the Aragueni (no. 141) and the people of Scaptoparene (no. 139).

[4] *Cf.* p. 9.

This chapter brings to an end our study of the various political units which the Romans used in the administration of the empire, and we may stop for a moment to survey the growth of the policy which Rome adopted in her relations with the rest of the world. As Schulten has well said[2], the history of Rome illustrates the steady development of the imperial idea. At the outset the city of Rome stands alone. In time she gains hegemony over the members of the Latin League. Through the conquest of Italy comes her supremacy over the whole peninsula, with the forced concession of liberal rights to Italian communities as a result of the Social war. The acquisition of the provinces brought her into relations not only with cities, which were granted autonomy under treaty rights, but also with subject towns and tribes, and finally the theory, not that Rome, but that the emperor was master of the world developed, and the city of Rome sank to the level of the other cities of the empire.

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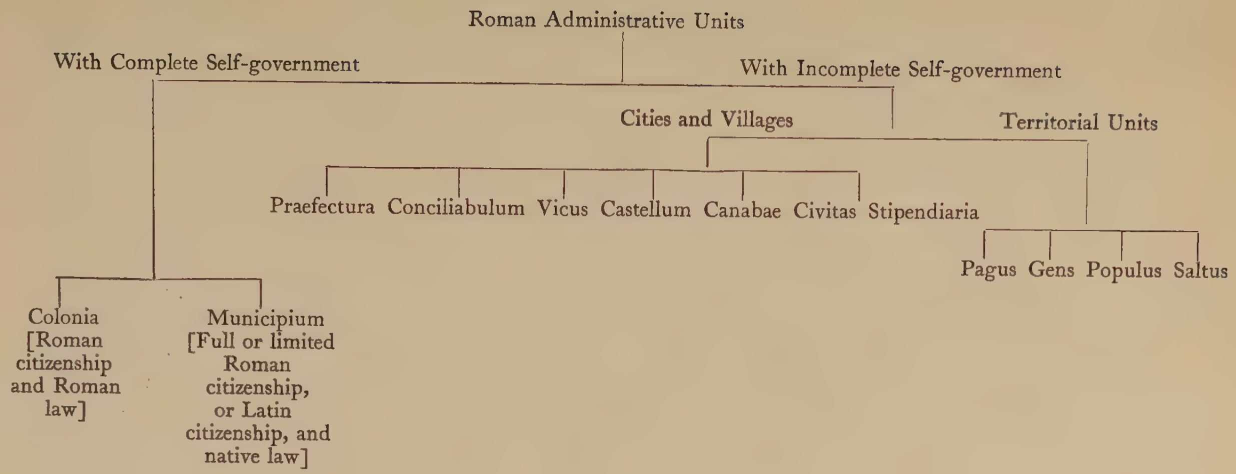
[1] See especially the commentary on no. 192.

[2] *Rh. Mus.* 50 (1895), 556.


Roman Administrative Units
With Complete Self-government
With Incomplete Self-government
Colonia [Roman citizenship and Roman law]
Municipium [Full or limited Roman citizenship, or Latin citizenship, and native law]
Cities and Villages
Territorial Units
Praefectura
Conciliabulum
Vicus
Castellum
Canabae
Civitas
Stipendiaria
Pagus
Gens
Populus
Saltus

## CHAPTER VI

# THE MUNICIPAL SYSTEM OF THE REPUBLIC AND EARLY EMPIRE IN THE WEST

THE Romans found in the cities which were brought under their control forms of government which differed from one another in many particulars. They differed in respect to the numbers, titles, and functions of the city magistrates, and in the share which the people or the aristocracy had in the control of affairs. The chief magistrate, for instance, in many of the old Italian cities was called praetor[1], or dictator[2], or interrex[3], or consul[4]. In Africa he was usually styled sufes[5], while in Greek lands the commonest titles were ἄρχων and στρατηγός. Usually the college of chief magistrates was composed of two members, but we occasionally find *III viri* and even *X viri* mentioned in the inscriptions[6]. In the East the local senate was, nominally at least, more quickly responsive to the popular will than it was in the West, because its members in Greek cities were frequently chosen by a direct vote of the people and held their positions for a year only, whereas in the West senates were largely made up of ex-magistrates who served for life. In the West a large measure of uniformity was introduced into the municipal system before the close of the republican period. This change was largely due to the fact that the cities in the western provinces rarely had long political traditions behind them, so that they found no great difficulty in accepting a ready-made system. In fact in this quarter of the world Roman institutions and the Latin language made rapid headway, and partly by voluntary imitation, partly by legislation, the system which had developed in the city of Rome prevailed. In the East, however, Greek culture and the Greek language stood in the way of the ready adoption of Latin institutions, and titles and practices which had existed for generations could not be easily changed. But it is true that, while old titles and forms were tenaciously held, magisterial functions and essential governmental methods were brought into greater conformity with western practice, and after the promulgation of Caracalla's constitution the tendency toward uniformity was very marked. It will be convenient therefore to take up separately the municipal systems of the West and the East, while recognizing the fact that even in the West[1] no description in all its details will be applicable to every city.

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[1] *E.g.* at Anagnia, Auximum, Beneventum. *Cf.* Dessau, 3, p. 694.
[2] *E.g.* at Aricia, Caere, Lanuvium. *Cf. op. cit.* p. 686.
[3] *E.g.* at Formiae and Fundi. *Cf. op. cit.* p. 690.
[4] *E.g.* at Ariminum. *Cf. op. cit.* p. 684.
[5] *E.g.* at Thugga and Avitta Bibba. *Cf. op. cit.* p. 698.
[6] *Cf. op. cit.* pp. 686, 698.

Municipalities all over the Roman world enjoyed complete or limited self-government. They chose their own magistrates and passed their own ordinances. The governing powers in them were the local magistrates, the local senate, and the popular assembly. In the West the titles and functions of these three organs of government were made reasonably uniform toward the end of the republic. Whether the natural tendency toward uniformity was stimulated by drawing up model municipal charters or not is a matter of much doubt[2].

The *populus* or *plebs urbana* was made up of citizens

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[1] Our principal sources of information concerning the municipal system are the inscriptions, and in particular eleven municipal laws and charters, of which seven are given in this book (*cf.* nos. 20, 24, 26, 27, 28, 64 and 65). The others, which are very fragmentary and add little, if anything, to our knowledge of the subject, are Bruns, 31, 32, 33 and 33 *a*. All these legal documents come from the West and four of them belong to Caesar's time.

[2] Many scholars have supposed that the *lex Iulia municipalis* was intended as a model, but *cf.* commentary on no. 24.

(*coloni*, *municipes*, *cives*) and of resident aliens (*incolae*). Both classes were subject to the *munera*, and both had the right to vote, but resident aliens were not allowed to hold office until a later period in the empire. Resident aliens were also subject to the court processes and to the *munera* of their native city. Local citizenship was gained, as at Rome, by birth or adoption, by manumission[1], or through the gift of the emperor or the local senate. For voting purposes citizens were grouped in *curiae*, tribes, or centuries. In Malaca resident aliens, who were Roman or Latin citizens, were assigned by lot to one of the *curiae* in the popular assembly[2], and a similar practice was probably followed in other municipalities. We are particularly concerned with the relations of the central government to the municipalities, and in connection with resident aliens there is an exercise of imperial power in the municipalities which is of interest to us[3]. An instance in point is the transfer of the citizenship of a certain C. Valerius Avitus by Pius from the municipium Augustum to the colonia Tarraconensis[4]. Another interesting case is the *adlectio* by Hadrian of a certain Valerius into the colonia Caesaraugustana[5]. Under the republic the people seem to have exercised freely their power to legislate on many matters[6], but under the empire the principal function of the popular assembly was the election of magistrates or priests for which elaborate provisions are made in chapters 52–60 of the *lex municipalis Malacitana* of Domitian's time. Many municipal inscriptions record the fact that a statue has been set up in honor of a certain individual *postulante populo* or *ex consensu et postulatione populi*, but the formal

[1] *Dig.* 50. 1. 1; *Cod. J.* 10. 40. 7.

[2] *Cf.* no. 65, chap. 53. This is the custom followed in the case of resident Latins at Rome in early days; *cf.* Livy, 25. 3.

[3] Mommsen, *St. R.* 2, 883 *ff.*; 1081, nn. 2 and 4.

[4] *CIL.* II, 4277.

[5] *CIL.* II, 4249; *cf.* also Schmidt, *R.E.* 1, 369 and *Diz. Ep.* 1, 414 *ff.*

[6] Cic. *de leg.* 3. 16. 36: et avus quidem noster singulari virtute in hoc municipio, quoad vixit, restitit M. Gratidio...ferenti legem tabellariam.

action in such cases was taken by the local senate, and popular approval was probably indicated in some informal way.

The chief magistrates in western municipalities were usually styled *duoviri iure dicundo*. Below them were the *duoviri aediles*. Sometimes these two boards formed a single college and the members of it were known as *quattuorviri iure dicundo* and *quattuorviri aediles*. Usually the magistrates in colonies were called duovirs, and in *municipia*, quattuorvirs[1]. Every fifth year the chief magistrates took the census and then received the title *quinquennales*. In the absence of the duovirs their place was taken by a prefect. The treasury was managed by quaestors, usually two in number.

The conditions of eligibility to the duovirate are laid down with great precision in the *tabula Heracleensis*[2] and in the *lex municipalis Malacitana*[3], and in the *lex coloniae Genetivae Iuliae*[4] it is provided that no one shall be eligible to a magistracy who may not be made a decurion. In the *tabula Heracleensis* of Caesar's time the age requirement is thirty years[5], but toward the close of the first century of our era it has been reduced to twenty-five at least. Perhaps this change was made by Augustus[6]. A candidate must of course be a free-born citizen, solvent, never convicted in the courts or brought into disrepute by following an ignoble trade, and he must follow the *cursus honorum* through the quaestorship and aedileship. Nomination and election proceeded as at Rome. The *lex municipalis Malacitana*, however, has a significant provision[7] to the effect that, if an insufficient number of candidates offer themselves, the official who is to preside may make the necessary nominations, but the men thus nominated by him may propose the names of other people in place of their own.

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[1] Liebenam in *R.E.* 5, 1804.

[2] No. 24, ll. 89 *ff.*

[3] No. 65, chap. 54.

[4] No. 26, chap. 101; *cf.* also no. 24, ll. 135 *ff.*

[5] No. 65, chap. 54.

[6] Pliny, *Epp. ad Trai.* 79. 2.

[7] No. 65, chap. 51.

As chief magistrate one of the duovirs presided at meetings of the popular assembly and senate, and carried out measures passed by either of these bodies. A good illustration of his functions in such matters is furnished by the famous inscription of 105 B.C. from Puteoli[1]. He had general charge, not only of public works and buildings, but also of public funds. He managed public festivals and games, and every five years took the census. Reference seems clearly to be made to the criminal and civil jurisdiction of the municipal magistrate in the *tabula Heracleensis*[2], in the *lex Iulia agraria*[3], and in the *lex de Gallia Cisalpina*[4], while in the *lex col. Gen. Iul.*[5] we read: ne quis in hac colonia ius dicito neve cuius in ea colonia iuris dictio esto nisi II viri aut quem II vir praefectum reliquerit aut aedilis uti hac lege oportebit, neve quis pro eo imperio potestateve facito, quo quis in ea colonia ius dicat, nisi quem ex hac lege dicere oportebit. The criminal jurisdiction which the duovir exercised in Italy under the republic was transferred under the early empire to the praetorian prefect and the city prefect. In the provinces the governor absorbed the judicial powers of the local magistrate. This encroachment of the imperial government on the functions of the municipal magistrate came about gradually, and it is important for our purpose to trace briefly the development of the process. To the office of *praefectus praetorio*, as established by Augustus, only military functions were assigned[6]. The appointment of Sejanus to the post and the long absence of Tiberius from Rome gave it a political significance. Later Burrus, as one of the chief councillors of Nero, held the position, and under Commodus the praetorian prefect Perennis became practically prime minister[1]. From this time on the civil functions of the office predominated, and that its judicial importance increased is clearly proved by the appointment to it of such eminent jurists as Papinian, Paulus, and Ulpian[2]. Like the office of praetorian prefect that of city prefect gained greatly in importance during the absence of Tiberius from Rome. It was the duty of the *praefectus urbi* to maintain order, and naturally the power was given him to try and to inflict punishment on those guilty of crimes. In this way his court soon crowded out the *quaestiones* in Rome and put an end to the criminal jurisdiction of municipal magistrates in villages up to one hundred miles from Rome. Criminal jurisdiction in the rest of Italy beyond that point was under the control of the praetorian prefect[3], while in the provinces it was administered by the governor. By this transfer of power municipal magistrates lost an important part of their functions, and their dignity was correspondingly lessened. In the middle of the first century B.C., in civil actions the duovirs or quattuorvirs were competent to hear cases involving as much as ten thousand or fifteen thousand sesterces[4], and in certain cases they had jurisdiction irrespective of the amount involved. In Latin *municipia* they could also legalize manumission, emancipation from the *patria potestas* and adoption[5], and could impose penalties for the violation of local ordinances[6]. These various powers were much curtailed in the later period as we shall have occasion to notice in another connection[1].

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[1] *CIL.* I, 577 = X, 1781 = Dessau, 5317 = Wilmanns, 697. *Cf.* also Wiegand, *Jahr. f. class. Phil. suppl.* 20 (1894), 661 *ff.*

[2] No. 24, l. 119.

[3] Bruns, 15, chap. 3.

[4] No. 27, chap. 20, ll. 5–15, 23, 31; chap. 23, l. 54.

[5] No. 26, chap. 94.

[6] Herzog, 2, 203 *ff.*

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[1] *Hist. Aug. Com.* 5.

[2] *Hist. Aug. Pesc. Nig.* 7; *Alex. Sev.* 26. *Cf.* also *ibid. Ant. Phil.* 11; *Sept. Sev.* 4.

[3] See the passage quoted by Mommsen, *St. R.* 2, 969, n. 2 from Ulpianus, *lib.* 9 *de officio proconsulis* (written under Caracalla; *Coll. Mos. Rom. Leg.* 14. 3. 2): iam eo perventum est constitutionibus, ut Romae quidem praefectus urbis solus super ea re cognoscat, si intra miliarium centesimum sit in via commissa. Enimvero si ultra centesimum, praefectorum praetorio erit cognitio, in provincia (vero) praesidum provinciarum.

[4] *Cf.* commentary on nos. 27 and 28.

[5] Liebenam, *R.E.* 5, 1834.

[6] *Op. cit.* 5, 1835.

The same principle of collegiality held good for the duovirs as was observed by the consuls in Rome. In Salpensa and Malaca each could veto the action of the other within certain limits[2]. In matters where only one duovir could officiate, preference was given to the older one in Malaca[3]. Municipal aediles were colleagues of the duovirs, just as praetors at Rome were colleagues of the consuls, but like the praetors they were *collegae minores*, and could not oppose the action of the duovirs.

In many cities a magistrate on taking office was required to pay an initiation fee[4], and during his term to contribute to the public games[5], and he was expected to give large sums for the improvement of his native city, or for the entertainment of his fellow-townsmen. While in office he was served by attendants, had a special seat in the theatre, and enjoyed certain other marks of distinction[6].

It is interesting to notice that the emperor was not infrequently chosen duovir, and provision was made for this purpose in the charter of Salpensa[7]. The usage in this matter becomes more sharply defined as we advance into the empire. Three early instances of an honorary duovirate occur in the case of T. Statilius Taurus[8], a prominent political leader under Augustus[9], and M. Barbatius[10], another supporter of Augustus, and Ti. Statilius Severus[11].

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[1] See pp. 200 *f.*

[2] No. 64, chap. 27; no. 65, chap. 58.

[3] No. 65, chap. 52.

[4] Liebenam, *St. Verw.* 54 *ff.*

[5] No. 26, chap. 70.

[6] Liebenam, *R.E.* 5, 1815 *f.*

[7] No. 64, chap. 24.

[8] See the inscription from Dyrrhachium (*CIL*, III, 605) *praefectus quinq. T. Statili Tauri.*

[9] *Prosop.* 3, 263, no. 615. Taurus held the consulship for the first time in 37 B.C. and was consul again in 26 B.C. In the year 16 B.C. (*cf.* Tac. *Ann.* 6. 11) he was very advanced in age, so that he must have been honorary duovir at Dyrrhachium early in the reign of Augustus.

[10] Mommsen, *St. R.* 2, 828, n. 5. He was quaestor in 41 B.C.; *cf.* Klebs, *R.E.* 3, 2.

[11] *CIL.* x, 3910.

These are the only known cases in which the honor was granted to anyone not connected with the imperial family[1]. Under Augustus, and for a time under Tiberius, it might be conferred on any member of the imperial family[2], but from the closing years of Tiberius' reign no other representative of the ruling house than the emperor or his destined successor could hold it[3]. When a private citizen or a prince held the office he had a colleague, but apparently from the last years of Tiberius' reign it was provided that the emperor should have no colleague in the office[4]. When an honorary duovir was appointed, the actual duties of the office were performed by a prefect[5]. In other words an imperial appointee became chief magistrate in a city in such a case. The number of imperial prefects of whom we have a record is not large enough to make this official an important factor in bringing the cities under the control of the central government, but the importance of the office lies in the fact that we have here the earliest instance of the appointment of an imperial official to take charge of the affairs of a city. The *praefectus imperatoris* is the progenitor of the *curator rei publicae* who played so important a rôle in robbing local magistrates of their authority[6] and in bringing local affairs under the control of Rome. It may, in fact, be significant that the imperial prefect disappears at about the time when the curatorship was established[7].

The functions of the municipal aedile were identical with those of his counterpart in Rome, and, therefore, need not be described here. In fact it is reasonably certain that the office did not develop independently in the various Italian cities, but that it was directly introduced into their municipal systems by Rome[1]. In a very small number of Italian cities, where there had been in early times a *praefectus iure dicundo*, on the removal of this official, the aedile became the chief magistrate and even held the census[2].

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[1] Cn. Domitius Ahenobarbus, who was honorary duovir in Pisidian Antioch (*cf. CIL.* III, *S.* 6809), was the father of Nero.

[2] *Cf. e.g. CIL.* II, 1534, *S.* 5617; III, *S.* 6843; V, 7567; X, 901, 902, 904, 6101.

[3] Mommsen, *Stadtrechte von Salpensa u. Malaca,* 415.

[4] *Op. cit.* 431.

[5] This procedure involved the exercise within well defined limits of an autocratic power granted to Caesar in the *lex col. Gen. Iul.* no. 26, chap. 125.

[6] *Cf.* pp. 90 *ff.*

[7] Kornemann, *R.E.* 4, 1806 *f.*; *Hist. Aug. Had.* 19.

Most municipalities had quaestors whose powers were similar to those of the quaestor in Rome. Where the office of quaestor was lacking, its duties were taken over by a third aedile chosen for the purpose or by one of the duovirs[3].

In connection with the magistrates we should also notice the local priests, the pontiffs, augurs, *sacerdotes*, and, under the empire, the flamens[4]. Provision is made in the *lex col. Gen. Iul.*[5] for the election of certain of these priests in the local *comitia*. Of these priests the flamens who were attached to the cult of the emperor and of the imperial house are of the most interest to us, because they played an important part in developing loyalty to the emperor and in giving unity to the empire; through the imperial cult which they fostered, the *concilia* of the provinces developed, which exerted considerable influence in bringing the cities, the provinces, and the imperial government into closer relations[6].

In the cities of Italy the municipal senate was often called *senatus*[7], but it was repugnant to Roman sentiment to allow Roman official titles to be used by magistrates or organizations outside Rome, and in new colonies senators were commonly called *decuriones* and the body to which they belonged, *ordo decurionum*. In all the different classes of cities or villages described in chapters I and II, except the *vici*, *castella*, and *canabae*, there was a local senate. Usually this body had one hundred members. This is the case, for instance, at Canusium[1], Cures, and Veii[2]. Smaller numbers are occasionally found, however[3]. The rolls of the *ordo* were prepared at intervals of five years by the *quinquennales* from the list of ex-magistrates, with such additions as were needed to make up the normal number. In some Greek cities, however, we find the method of popular election or of cooptation followed[4]. Under the republic venal or autocratic governors interfered with the free choice of local senators[5]. Under the empire governors acted within the law, but, if we may draw an inference from Pliny's experience in Bithynia[6], questions of eligibility and conditions of admission to local senates were settled by the governor. Occasionally the emperor directly nominated a senator[7]. The senatorial lists from Canusium[8] and Thamugadi[9] show us the composition of senates in the third and fourth centuries respectively. In the senate of Canusium there were sixty-eight ex-magistrates and thirty-two members who had held no office. In addition to this list of one hundred active members there stand in the album the names of thirty-nine *patroni*, who were honorary members, and of twenty-five *praetextati*, or sons of senators, who of course did not have the right to speak or vote. Inasmuch as most senators were ex-magistrates, conditions of eligibility for a magistracy were applicable to membership in the *ordo*[1]. In almost every municipality free birth was a prerequisite to membership, but in certain ultramarine colonies, like Urso, Corinth, and Carthage, to which Caesar probably took out many freedmen, the requirement of free birth was relaxed for a time[2]. Although local citizenship was a condition of eligibility, we occasionally find a resident alien admitted to the senate[3], and in other cases citizens of one community were also granted the right of citizenship in another municipality, and in this way could hold office in both places[4]. The minimum age requirement in the early period for a magistracy, and consequently for the senate, was thirty years[5]. Later it was reduced to twenty-five years[6], and an edict of Augustus perhaps set it at twenty-two[7], but Trajan interpreted the edict as requiring a minimum of thirty years from those who had not held a magistracy. The property qualification was usually one hundred thousand sesterces[8]. The initiation fee varied in amount from one city to another[9]. In Rusicade it reached the exceptional sum of twenty thousand sesterces[10]. Decurions wore a characteristic dress, had special seats at the plays and games, were exempt from certain forms of punishment, and could appeal to the emperor when under a capital charge[11].

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[1] Kubitschek, *R.E.* 1, 459.

[2] Kubitschek, *op. cit.* 1, 461.

[3] Marquardt, *St. Verw.* 1, 167.

[4] For the various priestly offices, *cf.* Dessau, 3, 568–584.

[5] No. 26, chap. 66.

[6] For a list of imperial flamens in the municipalities, see Dessau, 3, 571–574.

[7] Kübler, *R.E.* 4, 2319*ff.* Constant use has been made of Kübler's excellent article in the rest of this chapter.

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[1] *Cf.* commentary on no. 136.

[2] Mommsen, *St. R.* 3, 845, n. 1.

[3] *Cf.* commentary on no. 151.

[4] Kübler, *op. cit.* 4, 2324 *f.*

[5] Cic. *in Verr.* 2. 120: quorum ex testimoniis cognoscere potuistis tota Sicilia per triennium neminem ulla in civitate senatorem factum esse gratis, neminem, ut leges eorum sunt, suffragiis, neminem nisi istius imperio aut litteris.

[6] Plin. *Epp. ad Trai.* 79, 80, 112, 113.

[7] *CIL.* x, 1271 = Dessau, 6343.

[8] No. 136.

[9] *CIL.* VIII, 2403 = Dessau, 6122.

[1] *Cf.* pp. 59 *f.*

[2] Hardy, *Three Spanish Charters*, 49, n. 116.

[3] Dessau, 6916: *ex incolatu decurio*; *cf.* also 6992.

[4] Dessau, 6624: C. Alfius C. f. Lem. Ruf. II vir quinq. col. Iul. Hispelli et II vir quinq. in municipio suo Casini; 7005: omnibus honoribus in colonia Equestr. et in col. Viennensium functus. The case of a certain M. Valerius is interesting (*cf.* Dessau, 6933). He was a citizen of the res publica Damanitanorum, adlectus in coloniam Caesaraugustanam ex benefic. divi Hadriani, and then is spoken of as omnib. honorib. in utraq. re p. funct.

[5] No. 24, ll. 89 *f.*

[6] No. 65, chap. 54.

[7] *Cf. supra*, p. 59, n. 6.

[8] Plin. *Epp.* I. 19. 2; Petronius, 44.

[9] Kübler, *R.E.* 4, 2329.

[10] *CIL.* VIII, 7983.

[11] Kübler, *R.E.* 4, 2331–2.

The procedure in a local senate was modelled on that of the Roman senate. Indeed many probable conclusions concerning the method of transacting business in the Roman senate may be drawn from a study of the municipal charters and from pertinent inscriptions. Not only do the articles found in the charters providing for the presence of a fixed number of senators when certain matters are being settled remind one of the practices of the Roman senate, but they also indicate the items of business which were considered of the most importance. Two-thirds of the members of the *ordo* of the colonia Genetiva Iulia must be present to authorize the building of new aqueducts[1], or the choosing of festival days[2], and under the *lex municipalis Malacitana* the same number must be present to audit accounts[3], or to settle the question of bondsmen[4]. Fifty members constituted a quorum in the colonia Genetiva Iulia in authorizing the sending of embassies[5], the demolition of buildings[6], in legislating concerning public funds, public buildings, public squares[7], and roads[8], in assigning places for the people at the public games[9], and in choosing patrons[10], except that, if a Roman senator or the son of a Roman senator were proposed as patron, the presence of three-fourths of the decurions was required[11]. Favorable action could be taken in the colonia Genetiva Iulia to grant citizens the right to use waste water from the reservoirs, if forty senators were present[12], and an act could be passed empowering the duovirs to pay the contractors who had provided sacrifices, if twenty members were present[1]. The calling out of the militia, which did not permit of delay, could be authorized without the presence of any specified number[2]. These items of business illustrate the wide range of powers which the decurions enjoyed. It is clear that, in the first century, they, and not the magistrates, were the directing power in the municipality. It is rather surprising that Caesar, in founding the colonia Genetiva Iulia after his hard struggle with the Roman senate, did not magnify the power of the magistrates or the popular assembly at the expense of the *ordo*, but he adopted the pure Roman tradition for the three branches of the government. The municipal assembly, as we have already noticed, exercised practically no legislative powers. In view of the fact that the senate's power predominated in the municipality, it is not strange that in the later period, when the central government found it difficult to collect taxes, it should put the responsibility for them on the decurions. We shall see later that the *curator rei publicae* exercised at times the power of annulling *decreta decurionum*.

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[1] No. 26, chap. 99.

[2] *Ibid.* chap. 64.

[3] No. 65, chap. 67.

[4] *Ibid.* chap. 64.

[5] No. 26, chap. 92.

[6] *Ibid.* chap. 75; *cf.* also no. 65, chap. 62.

[7] No. 26, chap. 96.

[8] *Ibid.* chap. 98.

[9] *Ibid.* chapp. 125, 126.

[10] *Ibid.* chap. 97.

[11] *Ibid.* chap. 130. In Malaca a quorum of two-thirds of the members was required when patrons were chosen; *cf.* no. 65, chap. 61.

[12] No. 26, chap. 100, and commentary on no. 33.

The encroachment of the imperial power on the legislative rights of municipal senates is noticeable as early as the beginning of the second century. Pliny writes[3] to ask Trajan what shall be done about the aqueduct at Nicomedeia, the theatre at Nicaea, and whether he shall audit the accounts of Apamea. In Byzantium he cuts off the appropriation for a legate. All of these matters, as we have noticed, were within the jurisdiction of the local senate. These are indications of an overshadowing of the local senate by the imperial government and of a decline in its importance, but, in the main, membership in it seems to have been prized up to the close of the second century of our era.

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[1] No. 26, chap. 69.
[2] *Ibid.* chap. 103.
[3] *Cf.* pp. 143 *ff.*

## CHAPTER VII

# THE MUNICIPAL SYSTEM OF THE REPUBLIC AND EARLY EMPIRE IN THE EAST[1]

WHEN the Romans first entered Greece, the era of the independent city-state had already passed. Some of these had come, directly or indirectly, under the control of the Macedonian monarchy. Others had already joined a federation wherein they preserved their autonomy in local affairs, while the control of their armies and the conduct of their foreign relations were under the direction of a federal council. Membership in the Achaean League seems to have been voluntary, if we except the case of Sparta. On the other hand, the Aetolian League seems to have brought some of its members into the federation by force, and in such cases the local government must have been controlled by a pro-league party, or by force of arms. The development of these great Leagues was an important factor in restraining the Macedonian kings from exercising despotic sway over the Greek cities under their hegemony. While many states retained their traditional forms, the local government was controlled by a system of tyrannies, or by royal agents who effectively checked any expression of the ancient political freedom.

When the freedom of the Greek cities had been proclaimed by Flamininus, the Roman senate became involved as arbiter in all the disputes which broke out as soon as the Roman forces were withdrawn. The commissions sent out to settle the local quarrels of the various cities usually threw their influence on the side of oligarchy; and, since the Roman senate preferred to treat with the aristocratic party represented by the magistrates and local senate rather than with the fickle popular assembly, the democratic institutions steadily declined in political importance[1].

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[1] This subject is treated in the following works: Kuhn, *Die städt. u. bürgerl. Verfassung d. röm. Reichs*, 2. 144*ff.*; Marquardt, *St. Verw.* 1. 316*ff.*; Mommsen, *The Provinces of the Roman Empire*, 1. 252*ff.*; Levy, *La vie municipale de l'Asie Mineure*, *Rev. d. ét. grec.* 8 (1895), 203*ff.*, 12 (1899), 255*ff.*, 14 (1901), 350*ff.*; Chapot, *La prov. rom. proc. d'Asie*; Ramsay, *The Cities and Bishoprics of Phrygia*; Reid, *The Municipalities of the Roman Empire*; Jouguet, *La vie municipale dans l'Égypte romaine*.

When the kingdom of Perseus was finally overthrown by the Romans, Paullus established four republics on the ruins of the Macedonian Empire. It is unfortunate that we have no evidence as to the form of government established in the individual cities, or their relation to the federal administration. We may safely assume, however, that the municipalities were controlled by an oligarchy friendly to Rome. When Macedonia was finally organized as a Roman province, the republics were abolished, but traces of their existence may be discerned in later times[2].

After the destruction of Corinth Mummius modelled the constitutions of Peloponnesian cities on oligarchical lines, and revolutionary tendencies on the part of democratic factions were rigorously checked[3]. In other parts of Greece the aristocratic party, emboldened by the support of Rome, usurped the powers of the popular assemblies. This movement was fostered, directly or indirectly, by Roman magistrates and commissioners.

In Greece the Romans had found the country wholly organized in civic communities, but in Asia conditions were very different. Here the Persians, in their advance to the shores of the Mediterranean, had found tribal organizations, villages grouped in principalities or kingdoms, temple-states of various oriental cults, and Greek commonwealths in various stages of development between tyranny and democracy. The conquerors made no attempt to found new cities. Those already established they governed through a system of tyrants, which was ended by Alexander. His biographers claim for him the credit of restoring democracy, but it may be doubted whether he was more liberal in Asia than he had been in Greece. The system of Persian satrapies was continued by the appointment of governors in the various provinces. The cities were given a measure of independence in local affairs, and their administration was vested in the hands of the Greeks, who thus constituted a ruling oligarchy. Some features of the oriental bureaucracy must have been retained for the administration of the royal estates. Very little is known of the constitutions granted to the cities founded by Alexander. Apparently Alexandria had a senate and a popular assembly, at least for a time[1]. The Diadochi posed as patrons of Hellenism, and this attitude found expression in the foundation of new cities. The extension of this policy was made possible by the great influx of Greek soldiers, merchants, and farmers who settled in every part of Asia. Cities sprang up along the great trade-routes, around military stations, and at other strategic centers. Above all, the city served as a useful unit in governing the country and in securing its loyalty. Many of the towns became very wealthy and powerful, and in time of war, or when the royal exchequer was low, they were able to secure concessions which gave them greater liberty in self-government.

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[1] Colin, *Rome et la Grèce*, 652.
[2] Frank, *Class. Phil.* 9 (1914), 49 *ff.*
[3] Pausanias, 7. 16. 9; no. 9.

When the Romans extended their sway over Asia Minor, they adopted the same policy which they had pursued in Sicily. A few cities were allied to Rome; others were given their freedom with the right to use their own laws and institutions, and these cities probably enjoyed immunity from tribute; the majority, however, became *civitates stipendiariae*, and paid tithes to Rome. The honorary title of *colonia*, with or without the *ius Italicum*, was conferred by Caesar and later emperors on cities already established. After the age of Augustus new colonies were seldom founded in the eastern provinces[1].

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[1] Plaumann, *Klio*, 13 (1913), 485 *ff*.

The Roman senate appointed a commission to draw up a *lex provinciae* and to organize each province as it was admitted, although some commanders, as Pompey and Sulla, formulated laws for the provincials without the aid of a senatorial committee. The acts of military commanders, however, had to be ratified by the senate. We cannot tell how far the commissions interfered with the problems of local administration, but it is evident that no attempt was made to secure uniformity in municipal government[2]. The *lex Cornelia* regulated the amount which might be spent on embassies, and required the cities to elect their magistrates fifty days before the end of the year[3]. The *lex Pompeia* determined the age at which a candidate should stand for office, and provided that ex-magistrates should be enrolled as members of the local senate. The law also specified the reasons for which the censor might remove a senator from his seat[4]. These laws could be modified by edicts of the emperor or of the provincial governor, and some of the provisions were disregarded by the municipalities themselves[5]. Gabinius is said to have revised the constitutional forms of Syrian cities in favor of oligarchy, and it is probable that this was the general tendency of Roman governors[6].

The Romans followed the Greek policy by founding new cities. Pompey alone is said to have founded thirty-nine[7]. Since he was a representative of the equestrian order, we may suppose that his purpose was to simplify the collection of taxes. The creation of a municipal organization, whose members would be responsible for the payment of the tribute from their district, not only made it easier to collect taxes, but also gave the *publicani* greater opportunity for making loans and greater security for their repayment. It is not necessary to dwell upon the terrible exploitation of the Asiatic cities by tax-gatherers and Roman officials, as well as by the leaders of the various factions, who supported their armies by forced levies during the civil wars[1]. There is no evidence that the economic pressure resulted in any constitutional changes in the municipalities, but we may suppose that those interested in the collection of tribute would favor the election of the wealthier members of the community to office, while the constant arrears in the annual quota would give the governor unlimited opportunities to interfere in the problems of local administration. This state of affairs may explain the statement of Strabo that the ancient institutions of Cretan cities had fallen into abeyance, because the towns of Crete, as well as those of other provinces, were governed by the edicts of Roman rulers[2].

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[1] *R.E. s.v. colonia*; *cf.* pp. 3 *ff.*

[2] Marquardt is of the opinion that laws were devised for each autonomous city, *op. cit.* I. 65, 78.

[3] No. 34.

[4] Pliny, *Epp. ad Trai.* 79, 80, 112, 113, 114, 115.

[5] *Ibid.* 55, 65, 72, 79, 84, 108, 109, 111, 112.

[6] Josephus, *Ant. Iud.* 14. 5. 4.

[7] Plutarch, *Pompeius*, 45.

In their long experience in provincial government the Romans had found that the city, with its dependent *territorium*, was the unit through which the province could be best administered and the taxes most easily collected. For this reason the emperors devoted their attention to the spread of the municipal organization in every province. As the client kingdoms were incorporated in the empire, their territory was divided among cities or added to imperial estates. The tribal units of Galatia and the prefectureships of Cappadocia were replaced by towns[3]. The *territoria* granted to many of the new foundations were often necessarily of vast extent. The larger village-communities, therefore, had an opportunity to develop along independent lines, and many of them ultimately attained the rank of cities. By the beginning of the fourth century of the Christian era municipal institutions had spread throughout the Orient as the chief instrument of imperial administration.

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[1] Chapot, *op. cit.* 18 *ff.*

[2] Strabo, 10. 4. 22.

[3] Kuhn, *op. cit.* 2. 231; Perrot, *de Galatia provincia Romana*, 83.

It would be impossible to outline, even in brief, the manifold forms of government found in the Greek cities. The ancient states had developed along individual lines, and all of them cherished their traditional customs with peculiar reverence. The Romans also had great respect for *longa consuetudo*, and since it was their policy to accept existing institutions as they found them, they contented themselves with modifying the powers exercised by the different branches of local administration. The *lex Pompeia*, which was followed in the cities of Pontus and Bithynia, determined the qualifications of senators and magistrates and the method of their appointment, but, apparently, abolished none of the traditional offices. For this reason a great variety of titles survived until late in the empire in the older towns, and especially in the free cities. Unfortunately we know nothing of the charters granted to eastern cities, if we except the fragmentary letter of an unknown emperor to the citizens of Tymanda. While the constitution given to new foundations may have varied according to local conditions, yet precedent was powerful in Roman law and custom, and it is equally possible that imperial charters followed some model, such as the *lex Iulia municipalis*. Special commissioners (*correctores*) were sometimes sent out to regulate the affairs of provincial cities, but we do not know whether they made any attempt to revise the constitutions of the towns under their jurisdiction. The emperors in their travels occasionally devoted their attention to municipal problems, but the nature of their reforms cannot be determined[1]. Caesar is said to have made some changes in the administration of Athens[1], and in later times Hadrian attempted to revive the laws of Solon for the Athenians[2]; but, for the most part, it is probable that the emperors contented themselves with financial and legal problems, and that in return for such benefits as were conferred the Greeks called them the benefactors and founders of their cities[3].

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[1] *Hist. Aug. Hadr.* 19, 21; Herodian, 4. 8. 3; Tarsus was given laws by Augustus, Dio Chrys. 34. 8.

The popular assembly declined steadily as a political influence in the Greek cities under Roman rule. In the republican period the *ecclesia* in a few cities retained a certain amount of initiative and took some share in the work of local administration. Under the empire the evidence shows that the popular assembly was called together largely for the purpose of ratifying honorary decrees and such proposals as the magistrates chose to present to the people. The right of debate or amendment does not seem to have been exercised at any of these meetings[4]. In a few cities, however, exceptions may be found. The Athenian assembly retained some power as late as the third century[5]. At Tarsus Dio rebuked the citizens because the council of elders, the senate, and the people each strove for its own interest, and failed to cooperate for the common good[6]. The same orator also urged the citizens of Prusa, who had recently recovered the right to meet in assembly (ἐκκλησιάζειν), to exercise their powers with discretion so that they might not again lose their privileges[7]. In some of the eastern cities we find a distinction drawn between members of the *ecclesia* (ἐκκλησιασταί), citizens, and other residents of the community[8]. This does not necessarily imply that there was an active popular assembly in such cities, while it is true that, if the membership was limited in some way, the *ecclesia* naturally gained greater prestige and had a longer lease of life in the affairs of government. The edict of Caracalla, however, swept away the distinctions between the various classes in the community, and after the beginning of the third century the assembly disappeared as a legislative body.

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[1] Swoboda, *Gr. Volksbeschl.* 192.

[2] *Cf.* no. 90, commentary.

[3] The title κτίστης is frequently applied in Greek inscriptions to the emperor, governor, and even to private citizens. *Cf.* Anderson, *Journ. Hell. Studies*, 17 (1897), 402; *B.C.H.* 17 (1893), 247; Ditt. *Or. Gr.* 471.

[4] Swoboda, *op. cit.* 176 *ff.*; but *cf. R.E. s.v.* ἐκκλησία, p. 2199.

[5] Swoboda, *op. cit.* 190 *ff.*

[6] Dio Chrys. 34. 16.

[7] *Ibid.* 48. 1 *ff.*

[8] Lanckoronski, *Städte Pamphyliens und Pisidiens*, 58 *ff.*; Liebenam, *St. Verw.* 216 *ff.*; no. 122.

By the *lex Pompeia* the membership of the senate in Bithynian towns seems to have been limited to a prescribed number. The senators held office for life; magistrates were admitted to the order on the completion of their term of office; the revision of the rolls was entrusted to a censor; honorary members could be appointed with the consent of the emperor and on the payment of a fee; it was illegal to enroll citizens from other cities in the province[1]. These provisions show that Pompey took the Roman senate as his model in framing the law, and senates of this type are sometimes called "western" in contrast to those of the Greek cities which retained their former regulations. As a matter of fact, however, we know practically nothing of the method of appointing senators in eastern cities under Roman rule[2]. Censors are found in cities outside the province of Bithynia, but we do not know whether they had any duties in connection with the enrolment of senators. It is probable that selection by lot had been abandoned in the republican period, since it was necessary that men of wealth should be enrolled. Hadrian wrote to the magistrates and senate of Ephesus, requesting that his friend Erastus be admitted to the senate. He agreed to pay the *summa honoraria* required from new members if the official scrutiny of the candidate proved satisfactory[3]. It would seem as if appointments were made at the time when the senate (?) was called together to elect the magistrates for the coming year. Distinguished actors and athletes were often rewarded by being admitted as honorary senators. In the golden age of Greek democracy a senator held office for a year only, but with the development of oligarchy, it is probable that longer terms became the rule. Life-membership may have been introduced soon after, if not before, the cities came under Roman rule. In the later empire membership in the senate became hereditary.

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[1] Pliny, *Epp. ad Trai.* 79, 80, 114, 115.

[2] Chapot, *op. cit.* 195 *ff.*

[3] No. 85.

In a number of cities we find other organizations acting with the senate and assembly, especially in adopting honorary decrees. At Athens the council of the Areopagus was revived and attained great influence. In the Asiatic cities the *gerusia*, the *νέοι*, the *conventus* of Roman citizens, the trade-guilds, and even villages united with the city to do honor to benefactors. The nature of the *gerusiae* is disputed. Their functions were not always political, and in some cities they appear to have been purely social or religious organizations[1]. The Roman citizens resident in Greek cities usually united in a guild and held themselves aloof from local affairs[2]. They were probably exempt from magistracies and liturgies and rarely held such offices. They were usually free from the jurisdiction of the local courts. Their privileged position, however, was destroyed by Caracalla, who gave Roman citizenship to the provincials. The guilds of the various trades were not encouraged by the earlier emperors. Trajan had forbidden all associations of this kind fearing that they might become centres of political agitation and disaffection[3]. In the second and third centuries, however, these organizations were widely established.

An extraordinary variety of titles may be found in the magistracies of the Greek cities, and no uniformity was attained or desired by the imperial government[4]. Many of the offices, however, were modified under Roman rule. For example, the *strategus* became an important official although he had long since lost all trace of military power, and with the increasing importance of the senate the secretaryship of this body rose into prominence. In many eastern cities a board of magistrates (*κοινὸν τῶν ἀρχόντων*) is found[1]. This usually consisted of the generals (who are sometimes identified with the archons), the archons, and the secretary. These annual officials were dominated by the senate, and their powers were limited by the supervision of the provincial governors and of imperial agents, especially the *curator rei publicae* and the *defensor*. We have traced elsewhere the decline of the local magistracies under the pressure of the imperial bureaucracy. In the late empire the *curator rei publicae* was replaced by the *πατὴρ τῆς πόλεως*[2]. In the fourth and fifth centuries the office of *defensor* (ἔκδικος) attained great importance in municipal government. By this time the traditional magistracies had either disappeared or had become mere liturgies.

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[1] Chapot, *op. cit.* 216 *ff.*

[2] *Ibid.* 186 *ff.* *Ath. Mitth.* 16, 144 *ff.*

[3] Pliny, *Epp. ad Trai.* 34, 96.

[4] Owing to the difficulty of distinguishing between magistracies and liturgies we have not attempted to classify the different offices in the Greek cities; *cf.* indices to *IG.*; Cagnat, *IGRR.*; Liebenam, *op. cit.* 539 *ff.*

Election by lot or by popular vote had probably ceased soon after the Roman occupation, if not before[3]. For the most part officials seem to have been elected by the senate[4]. There is no evidence that the *cursus honorum*, required in the West, was followed in the East, and the law, enunciated by Paulus, that decurions only should be elected to public office, does not seem to have been applied to Greek cities[1]. Women were not infrequently named for office. In such cases it is unlikely that they exercised the duties of the magistracy, but were content with making a generous contribution towards the expenses attached to the position. The *summa honoraria* was usually exacted from magistrates on entering upon the duties of their office[2].

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[1] Levy, *Rev. d. ét. grec.* 12 (1899), 264, 268 *ff.*

[2] Declareuil, *Quelques problèmes d'histoire des institutions municipales au temps de l'Empire romain*, 269 *ff.*

[3] For a late example of the lot, *cf.* Cagnat, *IGRR.* 4, 259. For a priesthood, *cf.* Ditt. *Or. Gr.* 494.

[4] *Cod. Th.* 12. 5. 1 (326). Election to office seems to have been regulated by the provincial edict and the *lex provinciae*; *cf.* no. 34; Cicero, *ad Att.* 6. 1. 15; Pliny, *Epp. ad Trai.* 79. For the ἀρχαιρεσία of the senate, *cf.* no. 117; of the *ecclesia*, *cf. Journ. Hell. Studies*, 15 (1895), 118; 17 (1897), 411; *B.C.H.* 12 (1888), 17; Cagnat, *IGRR.* 3, 649.

In the cities of the Orient the system of liturgies was one of their most characteristic features, and here it was developed to its fullest extent as a regular part of the civic administration. In his discussion of magistracies and liturgies Aristotle observed the varying practice of different cities, and regarded the distinction between the two kinds of public service as largely an academic matter[3]. This is especially true in the case of the more important liturgies, such as the priesthoods, the *choregia*, and the gymnasiarchy. In many cases the liturgies and the magistracies cannot be distinguished. Aristotle called the humbler duties ἐπιμέλειαι or διακονίαι. These terms do not appear in the inscriptions, but they correspond in general to the Latin *curae*, and are described in the Codes and Digest as *munera*. In one case we find liturgies classified as βουλευτικαί and δημοτικαί[4]. These terms are not defined, and it is possible that the former refer to magistracies. Under Roman administration the appointment to liturgies was probably made in the local senates[5]. In a few cases liturgies were undertaken voluntarily, and sometimes endowments were provided by wealthy citizens to meet the expenses of a particular service. The priesthoods, in a few instances, were sold to the highest bidder[6]. As new liturgies were devised from time to time, especially in the imperial service, uniform regulations were applied to them throughout the empire. Ultimately the older municipal liturgies and the magistracies, which had virtually become liturgies, came under imperial regulation, and all were governed by uniform principles.

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[1] *Dig.* 50. 2. 7; 50. 4. 11.

[2] Chapot, *op. cit.* 158 *ff.*

[3] Aristotle, *Politics*, 6. 12. 2.

[4] Cagnat, *IGRR.* 3, 623.

[5] This, at least, was the rule in the third century; *cf. Cod. J.* 10. 32. 2.

[6] Bischoff, *Kauf und Verkauf von Priestertümern bei den Griechen*, *Rh. Mus.* 54 (1899), 9 *ff.*; *cf.* Otto, *Hermes*, 44 (1909), 594 *ff.*

The right of coining gold was forbidden, but in a few instances silver coins were struck under imperial supervision. Permission to issue bronze or token-money was freely granted in the East. The exchange of the local coins for foreign money was a municipal monopoly, and some revenue was derived therefrom[1]. When the local mints were abolished by Aurelian, this source of income ceased.

The relation of the provincial governors to the municipal administration cannot be definitely determined. The statement of Strabo that most provincial cities were governed by edict is doubtless exaggerated, but it is evident that the governor had the right to interfere in the administration of the *civitates stipendiariae* at any time, and that the privileges of free states were not always regarded by unscrupulous officials[2]. Cicero, who was fairly conscientious in his administration of Cilicia, devoted himself to lessening the expenses of the municipalities, to correcting the license of civic officials, and to the administration of justice. He delighted the cities by restoring to them their *autonomia*, which former governors had apparently taken away. He incurred the ill-will of Appius by restricting the embassies which the provincials sent to Rome with decrees in honor of their departing governor. Under the republic most questions concerning the internal administration of the province were decided by the governor without consulting Rome. Under the empire, as is shown by the correspondence of Pliny, paternalism had developed. While minor problems were referred to the emperor for decision, it is evident that the provincial governor still retained considerable power. All appeals were submitted to him before they were allowed to go to Rome. Not infrequently decrees of the municipalities were presented for approval or for veto, and it is probable that no city could engage in any important outlay of public money without securing the approval of the governor[1]. In the third and fourth centuries the duties of the imperial legates were probably closely defined in the writings of the jurists, but of these only fragments are now extant.

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[1] Nos. 81, 133, 199.

[2] Marquardt, *op. cit.* I. 85 *f.*; Chapot, *op. cit.* 126 *ff.*

The civic rivalries, peculiar to Asiatic towns, may have served to divert the attention of the provincials from the loss of political freedom. The honor of preeminence in rank and the privilege of the neocorate were eagerly sought[2]. While the imperial government permitted this rivalry, it was costly to the cities, because local pride led them to indulge in extravagant expenditures upon public buildings, games, and festivals in their efforts to outdo their neighbors. When this extravagance was combined with an inefficient and corrupt oligarchical government, many cities were reduced to serious financial straits. As a result the appointment of special commissioners, such as the *curator* and the *corrector*, to regulate the administration of provincial cities became a common practice in the second century. The influence of these officials in the history of the municipalities has been traced elsewhere[3].

Although the Romans found in the East a fully developed legal system which had a profound influence in modifying their own jurisprudence, yet the use of Roman law gradually prevailed. This was due to the influence of the provincial edict and of the provincial assizes, at which the governor presided and dispensed justice in accordance with Roman juristic principles. The extension of Roman citizenship, especially by Caracalla, must have increased the use of Roman law, but the Greek elements in the Syrian Code of the fifth century and in the Egyptian papyri of the Byzantine age show that the native law never wholly disappeared[1]. The supremacy of Roman law may be due, in part, to the fact that advancement in the legal profession depended upon a knowledge of Roman jurisprudence, and for this reason the scientific study of Greek law received little attention in the schools.

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[1] Nos. 69, 71, 80, 98, 99, 114.

[2] Chapot, *op. cit.* 136 *ff.*

[3] *Cf.* pp. 90 *ff.*

The evidence for the administration of law in the eastern cities is scanty. A few cities had the right to try cases which arose between Romans and civilians, but there is no evidence that they retained this privilege beyond the age of Augustus[2]. The courts instituted by the governor were held according to a fixed circuit, and were open to provincials as well as to Romans. Plutarch rebuked the Greeks for abandoning their local courts in favor of those held by the praetor[3]. The governor's court, however, could only take cognizance of a small proportion of the cases arising in a large and busy province, and the local courts must have retained jurisdiction over minor cases until late in the empire. The right of cities to use their native law was probably determined by the *lex provinciae*, but the privilege could be withheld or restored by the governor, or the senate, or the emperor. For example, Cicero restored *autonomia* to the Cilician cities, and Chios was granted the right to use her own laws and courts by the senate[4]. The question as to the administration of law in those cities which did not possess autonomy cannot be definitely decided[5]. Probably all cases involving sums of money in excess of a certain minimum were referred to the governor's court; regulations of this kind are found in western charters. The powers of the local courts were weakened by the appointment of the *curator rei publicae*, who exercised judicial authority. The subdivision of the provinces under Diocletian and the separation of the civil and military powers gave the governor greater opportunity to supervise the administration of justice. This is indicated by the fact that he is usually styled *praeses* or *iudex* in the juristic literature of the period. His power to appoint *iudices pedanei* to deal with minor offences implies that the municipal courts were no longer of any importance[1].

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[1] Mitteis, *Reichsrecht und Volksrecht*, 313 *ff.*; *Grundzüge* (*Juristischer Teil*), I. Introduction.

[2] No. 40.

[3] Plutarch, *reip. ger. praec.* 19.

[4] *ad Att.* 6. 1. 15; no. 40.

[5] Marquardt, *op. cit.* 1. 78; Chapot, *op. cit.* 103 *ff.*

Since we have described the liturgies and magistracies of Egyptian cities in another chapter[2], we need only outline the development of their municipal system at this point. In the Ptolemaic period there were only three Greek cities, Alexandria, Naucratis, and Ptolemais, and of their organization little is known. The remainder of Egypt was divided into administrative districts called nomes, the units of which were village-communities. The Romans adopted the Ptolemaic system in its main outlines. Hadrian was the first emperor to found a city in this part of the empire, and he thus set a precedent for future emperors in recognizing the fact that the Egyptians were capable of self-government. Early in the third century Septimius Severus gave to the capital of each nome a senate whose members not only bore the responsibility of administration, but also assumed the liabilities for the collection of the tribute. The senate thus created consisted of members who held office for life. The magistracies differed from those in the western cities in that the incumbents, apparently, did not have to be chosen from the senate. At first the nome was not regarded as the territory of the city, but in the course of time the responsibility of governing it and collecting the revenues therefrom was transferred to the city. By the beginning of the fourth century the Egyptian municipalities were brought into conformity with the system which prevailed in other parts of the empire.

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[1] *Cod. J.* 3. 3. 2.

[2] *Cf.* pp. 99 *ff.*

## CHAPTER VIII

# HONORES AND MUNERA[1]

IN the regal period of Roman history the king exercised legislative, judicial, and religious powers. When the republican form of government was created, these functions were transferred to several magistrates whose offices were appropriately called *honores*. As for the citizen, the most important duty which he owed to the community was the defense of its lands and flocks. This was a *munus* in the true sense of the word, and it is not strange that the same term should have been applied to any service rendered to the community, when the needs of society became more numerous[2].

While the development of Greek and Roman cities followed the same general lines, there was great diversity in matters of detail, and it would be difficult to discover a definition of *honores* and *munera* applicable to all periods or to all cities of the Roman empire. Callistratus, the Roman jurist, defined a municipal magistracy as an administrative office in the *cursus honorum* which might or might not involve the incumbent in personal expense. The liturgy differed only in the fact that it carried with it the right to spend money without receiving the distinction of an official title[3]. Callistratus probably lived in the third or early fourth century, when it was evident that the distinction between magistracy and liturgy rested largely on ancient tradition. In fact, many liturgies in Greek cities carried the title of ἀρχή although they were in no sense regarded as magistracies.

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[1] The best treatment of this subject is found in Kuhn, *Die städt. u. bürgerl. Verfassung d. röm. Reichs*, 7 *ff*.; *cf*. Houdoy, *Le droit municipal*, 441 *ff*.

[2] The Greek term corresponding to *honor* is ἀρχή. *Munera* is represented by λειτουργία or ἐπιμέλεια.

[3] *Dig*. 50. 4. 14.

In Rome the *cursus honorum* was fixed by law, and municipal charters in the West followed the Roman system in general outline with minor variations in detail. The Greek cities inherited a varied and complicated administrative machinery from the past, and the Romans made few changes in outward form. The system of popular election gave way to a more oligarchic method in Roman times, and some of the magistracies were gradually modified[1]. Even the oriental cities founded by Roman generals or governors followed Greek patterns in regard to magistracies, except in the case of a few early colonial settlements.

Under the earlier western charters municipal magistrates were chosen by the residents voting in *comitia* or tribes[2]. If candidates did not present themselves in sufficient numbers, nominations were made by the magistrate who presided over the election. Such nominees had each the right of nominating another. In later times, when public office became undesirable because of the heavy expense attached to it, the outgoing magistrate nominated his successor, or, if he failed to do so, the provincial governor presented a name to the *curia* which then made the election by formal vote[3]. It is not clear when the election was transferred from the people to the *curia*. In the fourth century only a few African towns elected their magistrates by popular vote[4]. As oligarchical tendencies developed, plebeians were barred from honors, and at the beginning of the third century only decurions were eligible for public office[5]. It is probable that the method of popular election was discontinued when this qualification was introduced, or soon thereafter. Apparently some system of rotation was now followed, and nominations were made in order of seniority with due regard to the financial standing of the members of the *curia*[1]. Magistrates entrusted with the administration of public funds were required to furnish bondsmen, whom the municipality held responsible for their candidate. The sureties were examined by a third party, who also shared the liability of the bondsmen if he approved their securities[2]. In magistracies shared by two or more there was always joint responsibility, unless the contrary was stipulated in the nomination[3]. When a candidate refused to discharge the duties of the office to which he was elected, his bondsmen and nominators were liable for his obligations. The governor, however, had the power to compel a magistrate to fulfil his duties[4]. If he sought to escape office by flight, his property was surrendered to his successor; and if the fugitive was brought back, he was punished by being compelled to serve two years instead of one[5]. Any nominee had the right of appeal to the governor. Until a decision was rendered, his colleague held office alone. If both appealed, an interim appointment was made, but if the city suffered any loss, the candidate who appealed without just cause was held responsible[6].

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[1] For example the στρατηγός became an important magistrate in some Greek cities under Roman rule, although the office no longer carried military power.

[2] No. 65, chapp. 51–54.

[3] *Dig.* 49. 4. 1, 3.

[4] *Cod. Th.* 12. 5. 1.

[5] *Dig.* 50. 2. 7. There are a few exceptions, *e.g. Cod. J.* 10. 44. 2 provides for a citizen holding office without being a decurion.

The qualifications of candidates varied in different localities and in different periods. The Julian law fixed the minimum age for magistrates in Italian cities at thirty, although concessions were made to those who had served a certain term in the army[7]. Pompey had previously established the same minimum in Bithynian cities, but his law was modified by Augustus, who permitted candidates to enter the minor offices at twenty-five, and this appears to have become the universal practice in the third century[1]. In a few cases minors were elected to magistracies, for the proper conduct of which their parents were held responsible. No candidate could secure exemption on the plea of old age[2]. The amount of property which he must possess was undoubtedly determined by local conditions, since it would be impossible to frame a uniform law applicable to every city within the empire. No magistrate received a salary, and the expenses of his office were heavy. When honors were eagerly sought, it was not illegal nor unusual for candidates to promise money for public works, games, banquets, or other entertainments, but it was forbidden to canvass for office by gifts or dinners to private individuals[3]. It was also customary for a magistrate on entering office to contribute a sum of money to the municipal treasury. This *summa honoraria* seems to have originated as a freewill offering, but it later became obligatory unless waived by special enactment[4]. During his term of office the magistrate was also compelled by law to contribute to various forms of municipal welfare[5].

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[1] This seems to be implied in *Dig.* 50. 2. 7; 50. 4. 6, 14.

[2] No. 65, chap. 59; *Dig.* 50. 1. 15; *Cod. J.* 11. 34. 1, 2; 11. 35. 1; 11. 36. 1.

[3] *Dig.* 50. 1. 11.

[4] *Ibid.* 50. 4. 9.

[5] *Cod. Th.* 12. 1. 16 (329).

[6] *Dig.* 49. 1. 21.

[7] No. 24.

The Julian law specified that no auctioneer, beadle, or undertaker should hold office; and all those who were barred from membership in the local senate by virtue of their profession or because of legal disabilities were forbidden to stand for a magistracy[6]. Freedmen were disqualified except in colonies composed of citizens of this class[7]. Appointments of women to magistracies were purely honorary, and seem to have been made chiefly in the East[8].

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[1] Pliny, *Epp. ad Trai.* 79, 80: *Dig.* 50. 4. 8; 50. 5. 2.

[2] *Dig.* 50. 5. 2, 1.

[3] No. 26.

[4] Liebenam, *St. Verw.* 54 *ff.*; *Cod. Th.* 12. 1. 169 (409).

[5] No. 26.

[6] No. 24. Other reasons for disqualification are added in *Dig.* 50. 1. 17, 20; 50. 2. 7, 9, 12; 50. 4. 6, 7, 12, 16. For professions exempt, *cf. Dig.* 50. 4. 18; 50. 5. 10.

[7] No. 24.

[8] Chapot, *La prov. rom. proc. d'Asie*, 158 *ff.*; Paris, *Quatenus feminae res publicas in Asia minore, Romanis imperantibus, attigerint*; *Cod. J.* 10. 64. 1.

Ordinarily a magistrate was exempt from holding the same office twice. If, however, there was a lack of eligible candidates, he could be compelled to serve a second time, but not until five years had elapsed. In case of voluntary service an interval of a year was prescribed. Between magistracies of different rank the legal interval was three years[1]. If a citizen had served as an ambassador of his city, he could not be nominated to another office for two years, but Diocletian limited the application of this law to those who had undertaken an embassy to Rome[2]. Magistrates could not hold office in two cities at the same time. In the case of such elections the birthplace of the candidate determined priority[3].

Magistrates wore the *toga praetexta*, possessed the privilege of the *fasces* within their own territory, and were entitled to special seats in the theatre. In cities possessing Latin rights magistrates were granted Roman citizenship on completing their term of office. Not more than six could receive this gift in one year, but in each case, apparently, their parents, wives, children, and grandchildren in the male line were included[4]. During his term of office no liturgies could be imposed upon him, and as ex-magistrate he was free from the imposition of burdens of inferior rank[5].

There is a bewildering variety of municipal offices in every province, and it is difficult in many instances to distinguish between honors and liturgies[6]. The Codes use the general title *magistratus municipales* for the whole empire and never specify the offices in detail. In the common type of western municipality we find duumvirs, aediles, and quaestors ranking in the order named. The principle of collegiality was followed in most magistracies, but when the emperor was elected to any municipal office, he appointed a prefect who, as an imperial agent, divided his authority with no one[1]. In case of an interregnum the local senate could appoint a prefect who had dictatorial power[2]. In the third century the quaestor and aedile are seldom found, and the latter office was regarded as a liturgy in many cities[3].

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[1] *Dig.* 50. 1. 18; 50. 4. 14; *Cod. J.* 10. 41. 2.

[2] *Dig.* 50. 7. 9; *Cod. J.* 10. 41. 2; 10. 65. 3.

[3] *Dig.* 50. 1. 17, 4.

[4] No. 64; *R.E. s.v. Jus Latii.*

[5] *Dig.* 50. 4. 10; *Cod. J.* 10. 43. 2.

[6] Chapot, *op. cit.* 231 *ff.*; Preisigke, *Städtische Beamtenwesen im römischen Aegypten*, 11; for different titles of municipal magistrates, see indices to the *corpora* of Greek and Latin inscriptions, Dessau, and Cagnat, *IGRR. s.v. magistratus municipales*. *Cf.* Liebenam, *St. Verw.* 279 *ff.*; Prentice, *Trans. Am. Phil. Assoc.* 43, 113 *ff.*

In Egypt the municipal form of government did not develop until the third century, and in this period the liturgies can be distinguished from magistracies only with great difficulty. Municipal offices were divided into three classes, and a citizen might hold the different offices in each class without observing any rule of seniority[4]. Appointments to municipal magistracies were apparently made in the local senate in conjunction with the *prytanis*. At the end of the third century we find nominations made by outgoing magistrates or by the senate as a body[5]. Peculiar to Egypt is the plan of appointing supervisors for the newly elected magistrate, apparently to prevent his escape by flight from the burdens of his office[6]. A nominee might avoid office by offering to surrender his property to his nominators. In such cases the nominee transmitted his offer to the prefect, who, if he gave his approval, instructed the *strategus* to see that the appellant suffered no hurt nor loss of status during the period while his property was being administered by the nominators.

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[1] *Cf.* pp. 62 *ff.*

[2] Hardy, *Three Spanish Charters*, p. 88. A magistrate absent from office more than a day nominated a prefect in his place.

[3] *Dig.* 50. 4. 18.

[4] Preisigke, *op. cit.*; Jouguet, *Vie munic.* 292 *ff.*; no. 181.

[5] No. 203.

[6] No. 203. This is probably a substitute for the *cautio* usually required.

Apparently the law permitted them to devote not more than two-thirds of the revenue to defray the expense of the magistracy and the remainder was returned to the owner. Even after the prefect had given his consent to the surrender of the property, the local senate apparently had the privilege of rejecting the offer and compelling the nominee to accept office[1]. In other respects also the procedure in Egypt seems to have differed from that in the provinces. For example, citizens who were not members of the senate were eligible for office much later than was customary in the rest of the empire.

In the eastern provinces magistrates were usually appointed by the local senate at a meeting specially devoted to that purpose[2]. Little is known about methods of nomination or qualifications, but it is probable that old customs survived, for we find many of the ancient magistracies still existing in the Greek cities until late in the Christian era[3]. There was, however, a tendency towards uniformity in all parts of the empire especially after Roman citizenship had been extended to all free subjects by Caracalla. No distinction is made between the East and the West in the laws recorded in the Digest and Codes, but the jurists were not concerned with local peculiarities and customs, and it would be unsafe to assume that local privileges and customs did not persist.

The *curator rei publicae* and the *defensor civitatis* held offices which were not regarded as municipal *honores*, but as *curae*. Their importance in civic government is such that they should be mentioned here. The *curator* was first appointed in the reign of Trajan as an imperial agent whose chief duty was the supervision of the financial administration of the municipality to which he was attached[1]. In some cases his jurisdiction extended over several towns. At first he was chosen from the senatorial or equestrian ranks, although men of humbler position sometimes filled the office. In the third century he was chosen from the members of the *curia* by the votes of his fellow-senators, and his election was ratified by the emperor. Constantine permitted no one to be a candidate until he had performed all his civic liturgies, and he cancelled all appointments gained by corrupt practices. In the Greek cities the *curator* was known as λογιστής and in the fourth century his duties were taken over by the πατὴρ τῆς πόλεως. The latter official was elected by the bishop, the *primates*, and the *possessores* in the reign of Justinian. The bishop and five *primates* had the power to depose their candidate if, in their annual survey, they found his administration unsatisfactory[2].

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[1] No. 198. For the procedure in a metropolis before the introduction of the municipal system, *cf.* no. 181 and pp. 28 *ff.*

[2] No. 34.

[3] There is no evidence that the Greek cities were subject to the law of Antoninus which required that magistracies should be held according to a fixed *cursus* (*Dig.* 50. 4. 11). The inscriptions from eastern cities record honors and liturgies indiscriminately, and the classification of the various kinds of public duties varied from city to city (*cf.* Aristotle, *Politics*, 4. 14 *ff.*).

Since the *curator* was an imperial appointment, the principle of collegiality was never applied to the office, even when it became in form a municipal magistracy. Nothing can be determined about the length of appointment except that it was not limited to one year and reappointments were not forbidden[3]. In some cases the office was combined with other imperial duties. While it is probable that many cities came under the jurisdiction of the *curator*, the record of the office on stone is comparatively rare, and in very few cities do we find the name of more than one, although there must have been a succession of *curatores* when once a city had come under their control[1].

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[1] Liebenam, *Philol.* 56 (1897), 290*ff.*, gives a full treatment of this office. *Cf. R.E. s.v. curator.*

[2] Justinian, *Novellae*, 128. 16; Declareuil, *Quelques problèmes d'histoire des institutions municipales au temps de l'Empire romain*, 276*ff.*

[3] At Timgad three *curatores rei publicae* are recorded between 360 and 367 (*CIL.* VIII, 2387, 2388, 2403), and their term could not have been longer than five years in any case. An inscription published in *B.C.H.* 17 (1893), 98, records a term of ten years.

Since the *curator* controlled the municipal revenues, and had the power to veto municipal legislation, his appointment dealt a serious blow to the development of the principle of local self-government[2]. When the emperors transferred the election to the *curiae*, the power of the landed proprietors who constituted the senates was greatly increased, as they were able to choose a candidate favorable to their own interests. The corrupt administration of the *curatores* led to such abuses that the imperial government was led to create a new office to care for the interests of the common people.

The *defensor civitatis* (ἔκδικος) is found in Egypt in the first half of the fourth century. Apparently the office was not established in other parts of the empire before 364 when it appears in Illyria[3]. At this time the appointments were made by the pretorian prefect and confirmed by the emperor. In 387 the nominations were made by the local *curiae* subject to the emperor's approval[4]. Under Honorius the bishop, clergy, *honorati*, *possessores*, and *curiales* chose the *defensor*[5]. Majorian gave the plebeians a voice in the election, and Justinian made the office a municipal liturgy imposed for a term of two years in rotation from an *album* of suitable candidates[6].

While the duties of the *defensor* were ill-defined at first, the office soon acquired great prestige, and overshadowed that of the *curator* and other magistrates. It was apparently conceived as an imperial *patrocinium* to offset the growth of private patronage, which was undermining state and civic authority and imposing serious hardships on citizens who had no other means of protecting themselves against the evils of the age. The *defensor* was especially charged with the protection of the lower orders against illegal exactions and other abuses. He supervised the revision of the tax lists and the collection of taxes from the smaller landowners. Municipal property was under his jurisdiction and he kept the public records (*acta*). At first he exercised no police or judiciary power except in minor cases, but his authority was extended by various rescripts until he had jurisdiction in civil cases up to 300 *solidi*. These functions brought the *defensor* into all branches of municipal administration and the other magistracies declined greatly in importance. In the fifth century he appears to have exercised sole power in many cities. Unfortunately the development of the office of *defensor* followed the same lines as that of the *curator* and instead of defending the interests of the common people, he became their oppressor[1].

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[1] de Ruggiero, *Diz. Ep. s.v. curator.*

[2] *Dig.* 39. 2. 46; 50. 8. 2, 5, 11; 50. 9. 4. His judicial powers were limited (*Cod. J.* 1. 54. 3 (239)).

[3] *P. Oxy.* 901; *Cod. Th.* 1. 29. 1 (364). *Cf. ibid.* 12. 1. 20 (381).

[4] *Cod. Th.* 1. 29. 1 (364), 3 (368), 6 (387).

[5] *Cod. J.* 1. 55. 8 (409).

[6] Majorian, *Novellae*, 3. 1; Justinian, *Novellae*, 15.

As the magistrates administered civil affairs, so the religious life of the community was in the charge of priests of the local and imperial cults, and these priesthoods were sometimes regarded as liturgies, sometimes as *honores*[2]. Usually those citizens were elected to priesthoods who had already discharged their municipal obligations, and they were thus exempt from liturgies of a personal character, but their patrimony remained liable to the customary charges. While priests were usually chosen by election or cooptation, the honor was in some cases hereditary, in others it was sold to the highest bidder. The term of service was annual, or for a prescribed period, or for life[3]. After Christianity was officially recognized, the pagan cults began to fall into disrepute, and their priesthoods were finally abolished.

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[1] *R.E. s.v. defensor.*

[2] The codes vary in their classification of priesthoods. *Cf. Cod. Th.* 12. 1. 75 (371), 77 (372), 103 (383).

[3] Liebenam, *St. Verw.* 342 *ff.*

In the fourth century the Codes give to the *principales* (*primarii*, *primates*, *summates*), or leading men of the local *curiae*, a position which seems to have been regarded as a virtual *honor*[1]. As the magistracies weakened or disappeared, the *principales* acquired administrative power, and they are grouped sometimes with the decurions, sometimes with the *defensor*, in municipal duties. The title was conferred in some cases by a vote of the senate, and was even granted to minors, although it was usually reserved for those who had satisfied all their municipal obligations. The *προπολιτευόμενοι* of Egypt are probably the eastern equivalent of the *principales*. The *primus curiae* or the chief member of the senate received special honors and privileges, and on the fulfilment of certain conditions was eligible for the imperial rank of *comes primi ordinis*.

Next to the municipal magistracies, the liturgies or *munera* were the most important factor in carrying on the civic organization. The imposition of a direct tax on the commonwealth had never been popular in democratic states and the liturgy was resorted to in supplementing municipal revenues. The extension and development of this method of administration is one of the most important features of municipal history in the Roman empire.

Liturgies (*munera publica*) were classified as *munera personalia* and *munera patrimoniorum*. Under the latter might be placed those called *munera locorum*[2]. The former did not require the expenditure of money, while the patrimonial liturgies were virtually a form of taxation on the estate of the incumbent. Certain liturgies were called *munera mixta*[3]. The oriental *decaprotia* is an example of this class, for those who undertook the office were responsible for the payment of the imperial tribute from their municipality. If the full assessment was paid by the citizens, the liturgy involved no expense, but if the *decaproti* had to make up the deficit, the liturgy became a

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[1] Declareuil, *op. cit.* 164*ff*.

[2] *Dig.* 50. 4. 6, 14.

[3] *Dig.* 50. 4. 18.

*munus patrimoniorum*. Extraordinary liturgies (*munera extraordinaria*) were devised to meet special needs, particularly in the imperial service, and ultimately many of this class were incorporated in the regular burdens of the municipality as *munera personalia* or *patrimoniorum*. In the Greek cities we sometimes find liturgies described as *δημοτικαί* and *βουλευτικαί*, which may imply that members of the senate were not called upon to undertake liturgies beneath their station, or those which called for the performance of menial labor[1].

The classification of liturgies varied naturally in different cities and in different periods. When there was plenty of money in the municipal treasury, the expense of most liturgies could be met from public funds, but in times of economic depression there was a tendency to transfer personal liturgies to charges on estates. The provincial governor or emperor often made such changes in the classification if the municipality refused to act[2]. In the third century the laws governing *munera* were framed by the imperial bureaus, and in the case of liturgies in the imperial service the regulations were applied uniformly throughout the empire. It is probable that municipal liturgies of all kinds were ultimately regulated by universal laws.

Personal liturgies are described in the Codes and Digest as *munera personalia*, *corporalia*, or *sordida*. It is probable that the last-mentioned liturgies required manual labor, since women and decurions were excused therefrom[3]. The charter of Urso provided that not more than five days' labor could be required from any property-holder within the bounds of the colony[4]. A similar law is found in Egypt regulating the amount of labor to be given annually by the peasant to ditches and dykes[5]. In the fourth century no distinction seems to be drawn between *munera personalia* and *sordida*. In his treatise on liturgies Arcadius Charisius included under *munera personalia* such duties as the care of aqueducts, temples, archives, and public buildings, the heating of public baths, the purchase of grain and oil, the management of civic revenues, the collection of the *annona*, and the convoying of recruits, horses, and other beasts of burden for the imperial service. Irenarchs (police officials), limenarchs (harbor masters), public advocates, local judges, ambassadors, scribes, and other minor officials discharged liturgies of this class[1]. Other duties, which, in different cities, had been recognized by custom as personal charges, may be added to this list.

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[1] Cagnat, *IGRR*. 3, 623.

[2] *Cod. J*. 10. 42. 4.

[3] *Dig*. 50. 1. 17; 50. 1. 22, 37, 38; 50. 4. 3, 3.

[4] No. 26.

[5] Oertel, *Die Liturgie*, 64 *ff*.

Charges on estates (*munera patrimoniorum* or *pecuniaria*) included such liturgies as the holding of the gymnasiarchy, or of priesthoods, the provision of transport for the imperial service, the sheltering of troops, and the performance of any public duty for which the incumbent had to provide funds from his private means[2].

Certain liturgies were classified and apparently held according to a fixed *cursus*. When the series was once completed, a citizen could not be compelled to discharge further obligations in that series unless there was a lack of other candidates[3]. Laws were also devised determining the intervals which should elapse between the different liturgies, but in times of stress evasions are known to have been frequent[4].

Every resident of the municipality could be required to undertake his share of the liturgies unless he was excused by law. Aliens were also subject to the liturgies of their native city in addition to those of the city in which they resided. If, however, they lived outside the town limits, they were exempt from regular *munera*, but their property was subjected to a special tax called *intributio*[1]. It is probable that the laws regulating the liturgies of aliens were devised to prevent the migration of wealthy citizens from communities where such burdens were heavy to more favored municipalities such as Roman colonies, or federated states which enjoyed special privileges or were subject to lighter taxation. Citizenship in such cities would be eagerly sought after and the right of conferring it must have been closely guarded. In Tyra decrees of naturalization were required to be submitted to the governor for approval and we may infer that this city enjoyed certain privileges which made citizenship in it desirable[2]. In later times the rigid application of the laws regarding alien residents made it practically impossible for anyone to reside elsewhere than in his place of birth. The law, however, might be evaded by adoption. To prevent this practice an adopted son was required to perform the liturgies of his native city as well as of his new home, and on being emancipated he ceased to be a citizen of his adopted city[3]. On the other hand, when a woman married a citizen of another city, she became a resident of that city, and was under no obligation to perform the *munera patrimoniorum* to which her estate might be subjected in her native place, nor could her dowry be reckoned as part of her husband's property[4]. In the fourth century this law was modified in the case of heiresses of curial estates[5].

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[1] *Dig.* 50. 4. 18.

[2] These *munera* were also classified according as the owner of an estate was a citizen of the municipality or an alien. In the latter case the *munus* was called an *intributio* (*Dig.* 50. 4. 6), and was apparently a direct tax levied on the owner (*Dig.* 50. 4. 18, 25).

[3] *Dig.* 50. 4. 3, 15; *Cod. J.* 10. 42. 1; 10. 43. 3. While the usual term was annual, shorter periods are known; *cf. Athen. Mitth.* 8, 318, for four-month terms at Tralles.

[4] *Cod. J.* 10. 41. 1; Oertel, *op. cit.* 388 *ff.*; nos. 180, 194, 203.

When public funds were appropriated for the discharge of municipal liturgies, the appointee was required to provide bondsmen as sureties for the proper fulfilment of his duties[1]. If he died before the end of his term, the obligation fell on his heirs[2]. In cases of mal-administration the nominator and bondsmen were liable for the obligations of the defaulter[3]. Sometimes, especially in the case of imperial liturgies, the whole *curia* was held responsible[4]. It may be doubted whether the *curia* was responsible as a corporate body for all candidates nominated by it in regular session, but where a large number of liturgies were imposed, it is probable that every member was involved either as a candidate, or as nominator, or as surety. In those cases where the liturgy was shared by two or more, the principle of solidary liability was enforced unless it was stipulated otherwise in the appointment[5].

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[1] *Dig.* 50. 1. 29, 35; 50. 4. 6; *cf.* 50. 4. 18, 21 *ff.*

[2] No. 130. *Cf.* Cass. Dio, 54. 7, where Augustus is said to have deprived the Athenians of the right of granting citizenship because of the abuse of the privilege.

[3] *Dig.* 50. 1. 15, 16.

[4] *Dig.* 50. 1. 21. 37, 38.

[5] *Cod. Th.* 12. 1. 124 (392).

Outside Egypt we find various methods of appointment to liturgies. Sometimes the emperor or the provincial governor sent nominations to the *curia*, or made the appointment directly[6]. The *curator rei publicae* had power to act in certain cases[7]. Usually appointments were made by the magistrates and decurions at a regular meeting of the *curia*, at which a quorum of two-thirds of the members was required by law[8]. We may suppose that, when the principle of liability had developed to such an extent that members of the senate were heavily burdened, they preferred to escape the obligations of nomination and surety by allowing the appointments to pass into the hands of imperial officials. The financial gain, however, was far outweighed by the loss of independence which was entailed thereby. In the fifth century it is probable that the decurions drew up lists of citizens for each liturgy and

[1] *Dig.* 50. 8. 11; *Cod. J.* 10. 70. 1.

[2] *Dig.* 50. 8. 12.

[3] *Cod. J.* 11. 36. 1, 2; 11. 37. 1; *Cod. Th.* 12. 6. 1. 8, 9; *Dig.* 50. 8. 4.

[4] *Cod. Th.* 12. 6. 9 (365?).

[5] *Cod. J.* 10. 43. 1; 11. 36. 2; 11. 38. 1; *Dig.* 50. 8. 3, 12.

[6] Julian, *Misopogon*, 370–371; *Dig.* 49. 4. 1, 3; 50. 5. 2, 7; *Cod. Th.* 11. 16. 4 (328); *Cod. J.* 10. 77. 1 (409).

[7] *Cod. J.* 11. 37. 1.

[8] *Cod. J.* 10. 32. 2; 10. 72. 8; *Dig.* 50. 1. 21; 50. 9. 3. *Cf.* no. 34.

forwarded them to the provincial governor who made the appointments. This at least was the method of appointing the irenarch according to a law of Honorius[1]. Extraordinary liturgies were assigned by the magistrates at first; in the fourth century by the *principales*, and later by the governor[2]. The latter also decided appeals, although they were frequently carried to the emperor, and after 313 the imperial court decided all such questions[3]. Those who made illegal nominations were compelled to defray the expenses of the appeal[4].

The liturgical system in Egypt was governed by special laws owing to the peculiar organization of this region[5]. Very little is known of the system which prevailed in the three Ptolemaic cities, although it is probable that they did not differ from other Greek cities in their forms of administration, if they possessed public lands from which they derived revenues. In the rest of Egypt the Ptolemies forbade private ownership of land, and *munera patrimoniorum* were consequently impossible. The Romans created a land-owning class and replaced the voluntary Greek bureaucracy with a liturgical system which was gradually extended throughout Egypt to apply to all but a few of the highest positions in the administration. The precise date of the introduction of the liturgical system cannot be determined, but it was already in existence in A.D. 91, and in the following century there is abundant evidence that liturgies were compulsory and extremely burdensome[6].

The Egyptian liturgies are usually classified as *χωρικαί* and *πολιτικαί*. The former probably denote those peculiar to the administration of the nome and the village; the latter belong to the municipal administration of the cities and the metropolis. It is often difficult to distinguish between the imperial and municipal liturgies and the variations in the methods of appointment and appeal in the villages and in the metropolis at different periods make the study of the liturgical system in Egypt particularly difficult[1].

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[1] *Cod. J.* 10. 77. 1.

[2] *Cod. J.* 10. 46. 1; *Cod. Th.* 11. 16. 4 (328).

[3] *Dig.* 50. 4. 4; 50. 5. 2, 7; *Cod. J.* 10. 32. 2; 10. 50. 3; 10. 51. 3; *Cod. Th.* 12. 1. 1 (313).

[4] *Cod. J.* 10. 32. 2.

[5] Jouguet, *op. cit.* 227 *ff.*; Wilcken, *Grundzüge*, 347 *ff.*; Oertel, *Die Liturgie*.

[6] Bell, *Journal of Egyptian Archaeology*, 4 (1917), 86 *ff.*; nos. 180, 181, 187, 189, 194.

In the villages the nominations were made by the elders or, more commonly, by the secretary. The latter forwarded the list of nominees to the *strategus*, from whose office it went to the *epistrategus* who, if there were sufficient candidates, chose by lot and made the appointments. In some cases the prefect made appointments[2]. The sureties of the nominee were responsible for the proper discharge of the liturgy, but in case of their failure the obligation fell upon the entire village[3]. After the introduction of the municipal system the evidence for the methods of nomination in the villages is scanty. In some cases outgoing officials named their successors, in others the candidates were designated by the comarch who sent the list to the *strategus* for appointment.

In the metropolis of the nome the scribe drew up the list of eligible candidates in consultation with the Council of Archons. The list was probably transmitted to the *epistrategus* through the office of the *strategus*. After 202 the nominations were probably made in the senate. A system of tribal rotation was followed, but if the tribal representatives in the senate failed to make sufficient or proper nominations, the duty fell upon the senate as a whole[4]. For extraordinary liturgies the *prytanis* might make appointments, but confirmation by the senate was required[5].

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[1] Jouguet, *op. cit.* 98; Oertel, *op. cit.* In an unpublished papyrus in the Princeton collection the distinction is made between βουλευτικαὶ λειτουργίαι and δημοτικαὶ ὑπηρεσίαι.

[2] Nos. 181, 185, 198, 200; *cf.* pp. 89 *ff.*

[3] No. 203.

[4] No. 203.

[5] *Cf.* Wilcken, *op. cit.* 399 *ff.*

The senate seems to have had authority to make the final appointment for purely local liturgies. In the case of imperial or state liturgies the appointments seem to have been made from the lists forwarded from the senate to the *epistrategus*, and in some cases to the prefect[1]. Certain liturgies could be transferred by the incumbent to others by mutual agreement. In other cases any transfer or commutation by a money payment was strictly forbidden[2].

Appeals were directed to the prefect, or, more commonly, to the *epistrategus*. In some cases they were forwarded to the *strategus*, but probably he was only a medium of communication with the *epistrategus*[3]. A nominee had the right to surrender his property to his nominator if the latter was better able to perform the liturgy, and if the nominee claimed that his own resources were insufficient. Apparently the entire revenue was surrendered for the discharge of liturgies, whereas in magistracies only two-thirds of the revenue could be taken for the expenses of the office[4].

As the liturgies in the empire increased in number and severity, the privilege of exemption became especially desirable. Antoninus withdrew the right of cities to confer immunity (ἀτέλεια), except in the case of physicians, teachers, and philosophers, and the number of exemptions which a city could grant was strictly limited according to its rank[5]. The provincial governors exercised some authority in this matter until Constantine transferred all questions of exemption to the imperial bureaus[6]. The Codes contain a vast number of laws on the subject, regulating the grants of immunity in minute detail. It would be impossible, within the limits of this study, to record the legislation in its entirety, and we shall attempt to give only the main outlines[1].

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[1] Jouguet, *op. cit.* 410 *ff.*; nos. 172, 180, 181, 182, 187, 200.

[2] No. 181; *P. Fior.* 3–9, 382; *BGU.* 1073; *P. Gen.* 73.

[3] *P. Fior.* 57; Wilcken, *Chrestomathie*, 263; *Cod. J.* 10. 48. 9.

[4] Nos. 185, 198.

[5] *Dig.* 27. 1. 6; *Cod. J.* 10. 47. 1. It should be noted that the rescript of Antoninus was addressed to Asia only, but it is probable that it came to be applied to other provinces as well.

[6] *Cod. Th.* 12. 1. 1 (313).

Individual citizens received the grant of immunity from liturgies by imperial decree. In the case of personal liturgies the grant was not heritable, while immunity from *munera patrimoniorum* passed to descendants in the male line. Any grant was revocable when the safety of the state was endangered[2].

Personal liturgies were not imposed on those suffering from physical disability, on minors, on those over seventy years of age, on women, or on parents of five or more living children[3].

Owners of estates subject to liturgies could not escape their obligations on any claim based on age, sickness, number of children, or sex. It was forbidden to commute the personal service required in *munera patrimoniorum* by a money payment or by providing a substitute[4]. The latter provision seems to have been disregarded in Egypt and the Orient[5].

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[1] Bks. 6, 7, 8, 11, 12, 13, 16 in the Theodosian Code; 10–12 in the Justinian Code; 50 in the Digest, *passim*.

[2] *Dig.* 50. 6. 1; *Cod. J.* 10. 48. 13 (385); *Cod. Th.* 10. 49. 1–3; 11. 16. 16 (385); Bruns, 41.

[3] *Dig.* 50. 2. 6, 7; 50. 4. 3; 50. 5. 2, 13, 14; *Cod. J.* 10. 42. 7, 9; 10. 50. 2, 3; 10. 51. 1–4; 10. 52. 2, 3; *Cod. Th.* 12. 1. 7 (320), 19 (331), 35 (343); 12. 17. 1 (324). From these laws it may be seen that the age limit was reduced from 25 to 16. Oertel thinks that 14 was the lower limit in Egypt (*op. cit.* 374). Parents often undertook liturgies in the name of a son who was a minor, and sometimes minors were nominated without the consent of the parent. In the latter case the estate of the parent could not be held responsible for any obligations which might be incurred by the son (*Dig.* 50. 2. 6). In Rome the father of three children, in Italy the father of four, and in the provinces the father of five children was excused from liturgies (Justinian, *Inst.* 1. 25). Special grants were sometimes made personally to fathers of large families (*Dig.* 50. 6. 6; *Cod. Th.* 12. 1. 55 (363); *Cod. J.* 10. 52. 1).

[4] *Dig.* 50. 4. 16.

[5] Wilcken, *Chrestomathie*, 350; *P. Fior.* 57. In the fourth century members of the local senates who had received appointments in the im-

The following classes of citizens were excused from liturgies: members of the imperial nobility, officials in the state bureaus, soldiers and officers in the army, veterans, members of guilds in the imperial service and of certain local guilds in the service of the municipality, or engaged in trades under imperial charter, teachers, physicians, actors, athletes, priests of pagan cults and of the Christian church after its recognition by Constantine, tenants on imperial estates (provided that their leasehold covered twenty-five *iugera*), Roman citizens resident in non-Roman towns previous to the edict of Caracalla[1], and citizens of Alexandria and Antinoopolis resident in other towns and villages in Egypt. As the property of *conductores* of the imperial taxes was pledged to the *fiscus* as security, they were also exempted. Tenants of waste land who brought it back into cultivation were released from all extraordinary liturgies as also were farmers at seed-time and harvest.

The *clarissimi* or members of the imperial nobility were the most important class of citizens who enjoyed exemption

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perial body were required to provide substitutes for the discharge of municipal liturgies (*Cod. Th.* 12. 1. 69 (369?), 91 (382), 98 (382), 111 (386), 312 (391) *inter alia*).

[1] Ulpian says (*Dig.* 50. 4. 3) that a citizen of Rome ought also to perform the liturgies of his *domicilium*. This is probably later than the Edict of Caracalla as the compilers of the Digest would probably not include regulations prior to that period. There are very few inscriptions which record liturgies of Roman citizens in non-Roman towns and these cases may be explained as an act of voluntary generosity, or because the liturgy was held before the grant of citizenship was conferred. In the *diplomata* issued to veterans on their discharge, immunity was conferred upon them and their children, and in the single decree of the Senate which we possess conferring citizenship upon an alien (Bruns, 41), he was granted immunity from taxation and all duties, and the gift was transmitted to his heirs, who would also be Roman citizens. In Egypt citizens of Alexandria were exempt from liturgies outside their native place, and since an Egyptian could not become a Roman citizen without being made a citizen of Alexandria first (Pliny, *Epp. ad Trai.* 5, 6), it follows that Romans enjoyed immunity in Egypt. The same rule undoubtedly applied in all Roman provinces, and the guilds of Roman citizens which are found prior to the Edict of Caracalla were probably formed of members of this privileged class.

from municipal obligations since they controlled most of the wealth of the community. Membership in the order was hereditary and, while the title was legally secured through imperial favor, it was often purchased fraudulently through the connivance of palace officials, and in some cases it was assumed by powerful citizens without any warrant whatsoever. Since every accession to the order weakened the municipality by depriving it of citizens or estates subject to liturgies, the emperors were ultimately compelled to restrict grants of this class. In the fourth and fifth centuries elaborate legislation was devised regulating the elevation of decurions or members of the curial order to the rank of imperial nobility. In 340 the fulfilment of all municipal obligations was required before any senatorial honors were conferred[1]. Two years earlier a decree had been issued compelling those who had no legal claim to imperial honors to return to the curial order[2]. Twenty years later the situation in the municipalities again became serious, and all decurions who had obtained the rank of imperial senator were compelled to resign this title. A few exceptions were made, but even in these cases those who held the rank in question were required to fulfil the *munera patrimoniorum* upon their estates within the municipality or to resign the property to the *curia*[3]. The next step in imperial legislation was to attack the principle of hereditary succession. Hitherto the senatorial rank had been transmitted to a senator's children with all the privileges which it entailed. After 364 the newly elected senator (*clarissimus*) was required to leave one son in the curial order to discharge the obligations of the estate towards the municipality[4]. After 390 senatorial appointments no longer carried the hereditary privilege[5].

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[1] *Cod. Th.* 12. 1. 29 (340).

[2] *Cod. Th.* 12. 1. 25 (338).

[3] *Cod. Th.* 12. 1. 48 (361), 58 (364), 69 (365), 74 (371), 111 (386), 118 (387).

[4] *Cod. Th.* 12. 1. 57 (364), 90 (382).

[5] *Cod. Th.* 12. 1. 130 (393), 160 (398).

This law was later amended, permitting sons born after the appointment to inherit their father's title and privileges, while in the case of the highest class, the *illustres*, all the sons enjoyed the right of hereditary succession[1]. At the same time permission was given senators to provide substitutes to discharge municipal liturgies. In 436 members of the *curia* elevated to the rank of *spectabiles* were compelled to undertake the municipal liturgies in addition to those imposed upon the imperial order, while those appointed to the higher rank of *illustres* were ordered to provide substitutes to discharge the *munera patrimoniorum*. The sons of *spectabiles* and *illustres* of curial origin remained in the order to which they were born[2]. This law must have made it impossible for residents in the municipality to hold municipal and imperial honors at the same time, but it is probable that members of the senatorial order found means of escaping their municipal obligations. Accordingly Theodosius closed the senatorial order to all *curiales* and this method of securing immunity from liturgies ceased[3].

Exemption from municipal duties was one of the privileges granted to those who held the title of *perfectissimi* or *egregii*, if this honor was conferred in recognition of public service or after all liturgies had been duly performed. Constantine ordained that this honor should no longer be conferred on citizens who were eligible for membership in their local *curia*[4].

Those engaged in imperial service abroad (*absentes rei publicae causa*) were exempt from municipal obligations[5]. This class of persons included the retinue of the provincial governors, members of the imperial bureaucracy, ambassadors to Rome or neighboring cities, and soldiers or officers in the army. Similar privileges were naturally extended to members of the palace bureaus who were ultimately organized on military lines[1]. The *curiales* sought to escape from their local obligations by securing positions in one or other of the great bureaus, and in the fourth century there was a constant succession of enactments forbidding their employment. The frequent adoption of such measures shows that the laws were constantly evaded. Occasionally attempts were made to seek out all *curiales* in these positions and to compel them to return to their cities, but evasions were always possible and provision was usually made whereby those who had served for some time or had attained a certain rank were allowed to remain at their posts[2]. It is, however, probable that the members of the bureaucracy did not always secure complete exemption from their municipal obligations, especially as the higher officials of curial origin were not exempt from all *munera patrimoniorum*[3]. In a few departments the privilege of exemption was hereditary for a time in the case of officers of higher rank[4]. The liberality of emperors varied. Sometimes officials enjoyed exemption from certain specified liturgies, sometimes from all of them, and in times of stress all privileges might be suspended[5]. The laws of Zeno and Justinian gave exemption from municipal obligations only to those *curiales* who had attained positions of very high rank in the palace[6].

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[1] *Cod. Th.* 12. 1. 155 (397).

[2] *Cod. Th.* 12. 1. 187 (436).

[3] Theodosius, *Novellae*, 15. 1 (439), 2 (441). Zeno and Justinian gave immunity to *curiales* only after reaching the highest offices in the imperial service (*Cod. J.* 10. 32. 64, 67).

[4] *Cod. Th.* 12. 1. 5 (317); *cf. ibid.* 12. 1. 15 (327), 26 (338), 42 (354), 44 (358); *Cod. J.* 12. 32. 1.

[5] *Dig.* 4. 6. 35 *ff.*; 50. 5. 4. *Cf. Cod. J.* 10. 48. 1, 5.

The laws governing the exemption of soldiers and veterans are of interest. While soldiers were excused from most municipal obligations, they were liable to certain charges upon their estates[1]. A soldier home on furlough was technically liable for any liturgies which might be imposed[2]. When military service became hereditary, sons of soldiers, who did not enter the army, were compelled to join the curial order[3]. Veterans were given special privileges[4]. In the second century the Egyptian veteran enjoyed immunity from liturgies (on estates?) for five years after his discharge[5]. In other parts of the empire no term is ever specified, and it is usually assumed that exemption was for life. It may be questioned, however, whether the law applying to Egypt did not extend over the whole empire. If a veteran entered the *curia* of his own accord, he was liable for all the liturgies of the order unless he had especially reserved his privilege of exemption[6]. In the third century the veterans were obliged to do road-work and to pay certain *vectigalia* and *intributiones*[7]. Apparently their privileges were steadily encroached upon, since Constantine was compelled to confirm them by special laws[8].

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[1] *Cf.* bks 6–8 in the Theodosian Code, and bk 12 in the Justinian Code, *passim*.

[2] *Cod. Th.* 12. 1. 26 (338), 31 (341), 36 (343), 44 (358), 78 (372); 1. 12. 4 (393), 6 (398); 6. 35 *passim*.

[3] *Cod. Th.* 6. 35. 1 (314), 3 (319).

[4] *Cod. Th.* 12. 1. 14 (326); *cf.* pp. 205 *ff.*

[5] *Cod. Th.* 6. 35. 1 (314), 3 (319); 11. 16. 18 (390); 6. 26. 14 (407); *Cod. J.* 12. 23. 1; 12. 26. 1–4; 10. 48. 11–12; 12. 19. 4; 10. 49. 1 (408), 2 (445), 3 (472).

[6] *Cod. J.* 10. 32. 64, 67.

Members of guilds engaged in the imperial service—especially in the alimentation of the capital and in supplying the armies—enjoyed special privileges and were exempt from all municipal obligations; in fact, shipowners were forbidden to take up the duties of a decurion in their native cities[1]. Membership in this guild was not only hereditary, but also obligatory in the fourth century[2]. The estate of a *navicularius* was bound to the service of his order, and if he bequeathed it to anyone not a member of the guild, the legatee was required to assume the obligations of the estate towards the guild by becoming a member[3]. On the other hand, a member of the *curia* was strictly forbidden to attempt the avoidance of his municipal duties by entering the guild of *navicularii*[4]. There was a large number of other guilds devoted to the imperial service, and it is probable that the rules for membership in these societies were ultimately brought into conformity with those governing the shipowners[5]. Besides the imperial guilds there were local corporations in each municipality formed for the special needs of the community, whose members were excused from other liturgies as a recompense. These guilds were under the control of the municipal authorities by whom their duties were designated. The earlier emperors discouraged the formation of these local societies for political reasons, but the ban was later removed[6], and numerous records show that these organizations were widespread throughout the empire. A law of Honorius at the end of the fourth century even went so far as to order all citizens to enroll themselves either in the curial order or in some guild[7]. Constantine granted exemption from personal liturgies to artisans in a large number of professions, and it is probable that they were grouped in guilds at that time[1]. Wealthier members of the guilds were sometimes drafted into the *curiae*, but it is probable that in the fourth century membership in these societies was hereditary and could not be resigned at will[2].

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[1] *Dig.* 50. 4. 18; 50. 5. 7, 11; 49. 18. 2–4.

[2] *Dig.* 4. 6. 34–35.

[3] *Hist. Aug. Alex. Sev.* 58; *Cod. Th.* 7. 22. 1 (319), 4 (326); 7. 1. 5 (364); 12. 1. 18 (329), 35 (343), 79 (379); *Cod. J.* 12. 33. 2–4.

[4] *BGU.* 628.

[5] No. 177.

[6] *Cod. J.* 10. 44. 1; *Dig.* 49. 18. 2. Loss of privilege through misconduct: *Cod. Th.* 7. 20. 7 (353).

[7] The testimony of Arcadius Charisius, Ulpian, and Hermogenianus varies, *cf. Dig.* 49. 18. 4; 50. 4. 18; 50. 5. 11.

[8] *Cod. Th.* 7. 20. 2 (320), 3 (320), 6 (342), 9 (362). Apparently the first promises of Constantine were made under compulsion, and the veterans later found that there was a tendency to ignore them.

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[1] At first the period of immunity was five years (*Dig.* 50. 4. 5), but later immunity was conferred as long as one remained a member of his guild (*Dig.* 50. 5. 3; 50. 6. 6).

[2] *Cod. Th.* 13. 5. 2 (315), 3 (319), 11 (365), 14 (369), 19 (390), 20 (392), 21 (392), 35 (412); Valentinian, *Novellae*, 29.

[3] *Cod. Th.* 13. 5. 19 (390).

[4] *Cod. Th.* 12. 1. 149 (395).

[5] Waltzing, *Les corporations professionnelles chez les Romains*; *R.E. s.v. collegium*; *Dig.* 50. 6. 7.

[6] Many of these were organized by Alexander Severus (*Hist. Aug. Alex. Sev.* 33). For legislation in regard to immunity, *cf. Dig.* 50. 6. 6.

[7] *Cod. Th.* 12. 1. 179 (415); *cf.* 7. 21. 3 (396).

Physicians, teachers, and professors of philosophy were excused from all personal liturgies and from providing billets as early as the reign of Vespasian[3]. Antoninus divided the cities of Asia into grades, and limited the number in each of these professions which might be granted immunity by the municipal authorities according to the rank of the city[4]. Elementary teachers were excluded from these privileges[5]. Instructors in civil law enjoyed immunity in Rome but not in the provinces, a law which must have had considerable importance in the spread of Roman jurisprudence[6]. Constantine granted physicians and teachers exemption from all charges, and this privilege was later extended to their wives and children[7]. Architects and members of allied professions were also excused from personal liturgies. Constantine sought to revive the architectural profession by conferring immunity on the parent as well as the student[8].

Priests of local and imperial cults were free from personal liturgies, but were not excused from charges imposed upon estates[9]. Their children also enjoyed the same privileges. In Egypt the number of exemptions granted to the priesthood in each district appears to have been limited under Roman rule[1]. A provincial priesthood could not be held until all local liturgies were discharged by the candidate, but this high office carried with it the honorary title of *comes* and conferred immunity from all other charges[2].

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[1] *Cod. Th.* 13. 4. 2 (337); *Cod. J.* 10. 66. 1.

[2] *Cod. Th.* 12. 1. 96 (383); Julian, *Misopogon*, 368.

[3] *Dig.* 27. 1. 6; 50. 4. 18; 50. 5. 10; *cf. ibid.* 50. 5. 8, where the lawgiver ironically remarks that philosophers, since they despise wealth, should not be exempt from *munera patrimoniorum*, or, if they desire exemption, they are not true philosophers.

[4] *Dig.* 27. 1. 6; 50. 5. 8; *Cod. J.* 10. 47. 1; 10. 53. 5.

[5] *Dig.* 50. 4. 11.

[6] *Dig.* 27. 1. 6, 12.

[7] *Cod. Th.* 13. 3. 1 (321), 2 (324), 3 (344), 4 (362), 15 (393), 16 (414), 17 (414).

[8] *Cod. Th.* 13. 4. 1 (334), 3 (344), 4 (374); *cf. Dig.* 50. 6. 7.

[9] Nos. 164, 178; *Dig.* 50. 4. 18; *Cod. Th.* 12. 1. 21 (335); 12. 5. 2 (337).

Since magistracies were open to members of the Jewish faith, it may be assumed that Jews were also required to perform municipal liturgies, although those in the Orient claimed exemption[3]. Constantine required the Jews to be enrolled as *curiales*, granting exemption to a few—presumably the priests—in each community. By later laws those who devoted their time to the synagogue were excused from personal and civil obligations[4]. In 383 and again in 398 the immunity of all sects, and particularly of the Jews, was revoked[5]. The emperor Theodosius again withdrew all privileges in regard to exemption from liturgies which the Jews may have enjoyed at that time and forbade them to be appointed to administrative posts or to imperial honors[6].

Christians were not distinguished from Jews at first, but when the political significance of the new religion was realized the government granted them no favors. While their religious beliefs may have prevented Christians from participating voluntarily in municipal duties which involved the performance of pagan ritual, it is evident from the proceedings of the Council of Iliberris that Christians held magistracies and even pagan priesthoods[7]. Imperial legislation dealing with Christians who avoided their civic duties began with Constantine who, in 313, granted

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[1] Otto, *Priester und Tempel*, 2. 250; Oertel, *op. cit.* 392; no. 178.
[2] *Cod. Th.* 12. 1. 75 (371), 77 (372).
[3] *Cod. Th.* 12. 1. 158 (398); 16. 8. 24 (418); *Dig.* 50. 2. 3.
[4] *Cod. Th.* 16. 8. 2 (320), 3 (321), 4 (331), 13 (397).
[5] *Cod. Th.* 12. 1. 99 (383), 158 (398); *Cod. J.* 1. 9. 5, 10.
[6] *Cod. J.* 1. 9. 18; Theodosius, *Novellae*, 3; Justinian, *Novellae*, 45.
[7] Declareuil, *op. cit.* 97 *ff.*

*clerici* exemption from all municipal charges[1]. Evidently the suffering *curiales* found in this law an easy way of escape from taxation, and shortly afterwards the emperor was forced to issue an edict by which members of the *curiae* or wealthy plebeians were forbidden to enter holy orders[2]. The frequent re-enactment of this law in later times shows that it was persistently violated, and the general trend of the legislation of the fourth and fifth centuries followed the principle applied to *curiales* who aspired to membership in the imperial nobility. The Church as a career or as means of escape from liturgies was closed to members of the curial order as far as possible. If they sought to enter the priesthood, their convictions were put to a severe test by laws requiring that their property must be surrendered to the *curia* in whole or in part, and by the provision of substitutes to perform their curial liturgies[3]. Valentinian cancelled all exemptions from tribute and from *munera patrimoniorum*[4]. Majorian ordered all *curiales* in the lower offices of the Church to return to their former station in life, while deacons, presbyters, and bishops were compelled to fulfil all their liturgies as citizens[5]. According to a law of Justinian, *curiales* were forbidden to enter the priesthood except in early life, and on condition of surrendering a fourth of their estate to the municipality[6].

Tenants on imperial estates were excused from municipal charges unless they owned other property privately. Even these tenants were exempted by a law of Constantine if their lease of crown lands covered twenty-five *iugera* or more[7]. Since the emperors wished to increase the area of land under cultivation, special immunity was granted to those who brought waste land under tillage, and full ownership was given to the occupants[1].

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[1] *Cod. Th.* 16. 2. 1 (313); *cf. ibid.* 16. 2. 2 (319), 7 (330), 24 (377).

[2] *Cod. Th.* 16. 2. 3 (320).

[3] *Cod. Th.* 12. 1. 49 (361), 59 (364), 99 (383), 104 (383), 163 (399); 16. 2. 19 (370), 21 (371).

[4] Valentinian, *Novellae*, 10.

[5] Majorian, *Novellae*, 7, 7 (458).

[6] Justinian, *Novellae*, 6, 1 (535).

[7] *Cod. Th.* 12. 1. 33 (342).

In studying the numerous documents dealing with *honores* and *munera* we may easily discern certain tendencies which have an important bearing on the history of the municipalities. The magistracies were coveted in the earlier period of the empire, when economic conditions were favorable and civic life was distinguished for its splendor. Even then indications are not lacking that decay had already set in. The charter of Malaca provided for a possible lack of candidates for civic positions, and we may infer that some municipalities had already been confronted with this difficulty. Doubtless many weaker communities had already been impoverished because of the loss of citizens through various economic changes. In the third century when famine, plague, civil war, and social disorders were widespread, the magistracies became serious burdens on the incumbents, and willing candidates ceased to present themselves for office, except possibly in a few cities which enjoyed unusual economic advantages. The Codes now lay more stress on the burdens attached to magistracies than upon the distinction which they conferred, and while some traces of the former privileges still remained, the *honores* differed but little from liturgies. In Egypt it is difficult to distinguish between the classes of public service, and the charges attached to certain magistracies were so ruinous that they involved not only the annual income of the incumbent, but trenched upon his capital resources. The laws reveal the fact that citizens designated for office often preferred to abandon their property rather than to accept a magistracy, and that many sought to escape their obligations by flight. While the decay of the traditional offices may be ascribed in part to the development of their liturgical character, the creation of the imperial *curatores* and *defensores* contributed greatly in diminishing the powers and prerogatives of the local magistrates. Officials designated by the emperor naturally usurped authority because of their greater prestige, and it is not surprising to find that the ordinary magistracies disappeared in many towns to which a *curator* had been assigned.

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[1] *Cod. Th.* 15. 3. 1 (319); *cf.* pp. 211 *ff.*

In the development of liturgies the decurionate fell into greater disrepute than the magistracies. Membership in the *curia* became hereditary, probably about the beginning of the third century, and in the fourth we find an order of *curiales* which apparently included all citizens who were landowners and eligible for membership in the local senate. Their rank was not only hereditary but also compulsory. The history of imperial legislation concerning *curiales* may be briefly traced. When the collection of taxes was transferred from the publicans to the municipality, the duty was assigned to a committee of ten chosen from the senate (*decemprimi*) or, as in the East, from wealthy citizens (δεκάπρωτοι), who were not necessarily members of the order. It is probable that many cities farmed their own taxes and the senate as a whole was responsible for their payment. When Septimius Severus granted a municipal senate to the metropolis of each nome in Egypt, he made the members of this body responsible for the collection of the taxes from their nome. The Egyptian system was soon extended to other municipalities throughout the empire. At least, in the reign of Aurelian, the *curiales* were responsible for the taxes on abandoned property, and there is no reason to doubt that other deficiencies were made up by them. When they attempted to shift this burden to others, the villagers were oppressed and the charge was made that every *curialis* was a tyrant. As liturgies and taxes grew in severity, as great landed estates arose owned by proprietors who enjoyed immunity from municipal obligations either by virtue of their patents of imperial nobility or by their ability to defy the municipal authorities, and as a system of patronage developed whereby many of the rural population escaped their share of taxation by placing themselves under the protection of some wealthy and powerful landowner, the *curiales* themselves had to bear alone the increasing burdens placed upon their order. Their unhappy lot was further aggravated by the loss of revenues from the public lands, which were frequently confiscated by the emperors or forcibly occupied by wealthy citizens. In order to preserve the municipal institutions from the danger of disintegration, since many *curiales* were abandoning their property rather than facing the burdens placed upon them, the emperors devised stringent legislation to control citizens who were members of the order. Not only were severe penalties imposed upon those who attempted to evade their obligations, but every avenue of escape was closed. The *curiales* became a guild in which membership was hereditary and compulsory. In the fourth century the laws regarded the estate as more important than the citizen in the imposition of taxes and liturgies, and the owner was virtually reduced to the position of an imperial serf.

While the unfortunate position in which the *curiales* found themselves in the later empire was due to a variety of causes, the most important factor was the development of the liturgical system. When a volume of tribute flowed into the treasury at Rome sufficient to relieve her citizens of all taxes, an elaborate system of liturgies was unnecessary. In western municipalities our records are unfortunately incomplete, and the clauses of the charters pertaining to liturgies are lacking, but it is probable that sufficient revenue was derived from the public lands in each city to defray the ordinary administrative expenses. The citizens could be called upon to give their labour to an amount not exceeding five days in public service, and the magistrates were expected to supplement the revenues by contributions towards public amusements or in other ways, such as by the *summa honoraria*. In the Greek cities, however, the Romans found a fully developed system of liturgies. This they adopted and in the course of time they extended it over the empire. An important factor in the extension and development of this system as a form of imperial taxation was the depreciation of the coinage by successive emperors. By reducing the gold and silver content in the various issues, embarrassing financial difficulties could be avoided, and the consequent rise in prices produced an appearance of prosperity, at least among the agricultural classes. When the taxes returned to the *fiscus* in the depreciated coinage, there was trouble. It was found that the revenues were no longer sufficient to meet the increased cost of administration. Since it would be extremely unpopular and possibly dangerous to increase the rate of taxation, the rulers were left with the alternative of further depreciation or of extending the municipal system of liturgies to cover various forms of the imperial service. As a matter of fact both methods were resorted to, until the emperors refused to accept their own coinage and demanded the taxes paid in kind. In collecting these and transporting them to the public storehouses, an additional burden was placed upon the municipality. The liturgies, which we may call imperial, were distributed throughout the provincial cities and were regulated by laws applied uniformly to the whole empire. In the course of time the local liturgies came under similar provisions and tended to become universally applied. Of the imperial liturgies the most exacting were those in connection with the imperial post and the billeting of troops or public servants. The severity of these liturgies was increased by the venality and extortion practiced by the officials, and although the emperors frequently sought to correct abuses they were powerless to cope with the widespread corruption which permeated the bureaucracy. In addition to the imperial liturgies, the local *munera* grew more burdensome. This was due to economic causes. The decline in the fertility of the soil, the alienation of municipal lands by confiscation or otherwise, and the appropriation of a large part of the municipal revenues by Valentinian and his successors were instrumental in impoverishing the municipal treasury and causing the transfer of many *munera personalia* to the class of *munera patrimoniorum.* In this way another burden was imposed on the citizens already struggling to meet the increasing cost of the administration and the defense of the empire. For these reasons it was necessary that the right of immunity from liturgies should be carefully restricted. The earliest legislation on this question dates from the reign of Antoninus, who limited the power of the municipalities to confer this privilege. We believe that the edict of Caracalla was actuated by similar motives. By granting citizenship to all free subjects in the provinces, the privilege of immunity which Romans had hitherto enjoyed was taken away, and the liturgies were more equitably distributed. In the fourth and fifth centuries there is a constant succession of laws which steadily narrowed the right of persons holding property in the municipalities to avoid the charges which such possession entailed. In the age of Zeno and Justinian no citizen of curial origin could escape his municipal obligations except by appointment to the highest positions in the imperial bureaucracy. Unfortunately the general trend of this legislation aggravated rather than mitigated the lot of the *curiales.* In fact the study of the laws governing the magistracies, the liturgies, and immunities reveals to the modern student the most significant phases in the decline of municipal life in the Roman Empire.

## CHAPTER IX

# IMPERIAL TAXES AND REQUISITIONS IN THE PROVINCES

NO adequate conception may be had of the relations which the municipalities bore to the central government, nor of certain important influences which affected the welfare of the cities, unless one knows something of the imperial taxes which were levied in the provinces, of the methods employed in collecting them, and of the requisitions made by imperial officials[1].

The principal tax in the provinces was on land, and in Sicily, the first district acquired outside of Italy, it took the form of tithes. The Romans simply took over the system of taxation there which their predecessors had followed[2]. Had they not found taxes already being collected there by the central government which they dispossessed, it is not impossible that the municipalities in Sicily and elsewhere might have gone untaxed, and might have been incorporated into the Roman state as the *civitates* in Italy had been. In that case the organization of the Roman empire would have taken an entirely different course, and the provincial cities would have had a very different history from that which they did have. But finding a careful system of taxation worked out in Sicily, and finding machinery in operation which would pour a large revenue into the treasury, the Romans continued the system. In a similar way, on acquiring Macedonia, they took over the method of collecting taxes there which their predecessors had followed, as we shall see later. Two centuries after the conquest of Sicily Cicero thought of the provincial contribution to the treasury as "representing the fruits of victory, or as a punishment for engaging in war with the Romans[1]." And this may well have been the conception which the Romans held, down to the close of the second century B.C. But in the *lex agraria* of 111 B.C.[2] the theory is taking shape that the Roman state owned all conquered territory outside Italy[3]. By the early empire the new theory, which came perhaps from Egypt, was generally accepted by Roman lawyers. From this time forth the essential part of the tribute paid by the provinces is thought of as rent. This rent may be paid in the form of a quota, usually a tenth of the produce (*decuma*), or as a fixed contribution (*stipendium*). Sicily, as we have noticed, paid tithes, and it seems probable that the next important province to be acquired, Spain, made her contribution to the imperial treasury in a similar way at the outset[4]. In course of time the Spanish assessment was commuted to a fixed money payment[5]. The first sure instance of the imposition of a *stipendium* on subduing a new territory occurs in the case of Macedonia. Here again, as in Sicily, the Romans took over the system of taxation which they found in existence in the newly conquered region[6]. By 168 B.C., then, two different methods of levying tribute in the provinces had been adopted. In some provinces one of these systems prevailed to the exclusion of the other. In others the two methods were combined, and in still other cases part of a province paid tithes, and the other part a fixed sum of money. Thus Sicily and Asia for many years paid tithes only, Gaul always paid a *stipendium*, one part of Africa contributed money, another part, a quota of its produce, while Sardinia for some time apparently contributed both. It was clearly the general policy of Rome to substitute a money payment for a payment in kind. This change was made probably in Spain and Sardinia, and certainly in Asia, Judaea, and Africa. Undoubtedly it lightened the burdens of the provincial cities, because a system of tithes always bears heavily on the farmer. So far as the rate of taxation goes, assuming that it was 10 per cent. on the average, it was not exorbitant. While the land-tax was the commonest and most important tax outside Italy, it was not the only impost peculiar to the provinces in the time of the republic. In the regions conquered by them the Romans found not only a *tributum soli* but also a *tributum capitis*. The latter tax was levied in Judaea, Africa, Cilicia, Asia, and Britain, and in some of these districts at least Rome continued to levy it regularly or occasionally[1]. This impost seems to have taken a variety of forms, according to the usages and economic conditions of a province. In some cases it was a simple poll tax, in others, a license paid by pedlars, shopkeepers, and men engaged in other trades, and in still others, an income or property tax[2]. Probably the *tributum capitis*, however, was thought of under the

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[1] The *munera* are treated in another chapter. The Roman financial system and its administration have been left out of account in this chapter, as not pertinent to our purpose.

[2] *Cf.* pp. 47 *ff.*

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[1] *Cf.* the quotation from Cic. *in Verr.* 3. 12–14, given on p. 46.

[2] *CIL.* 1, 200.

[3] Mommsen (*St. R.* 3, 731) thinks that this theory was recognized in the Sempronian law of 123 B.C. under which Asia was organized, but *cf.* Lécrivain, *Dict. Dar. s.v. tributum*, p. 431, col. 2.

[4] Livy (43. 2. 12) speaks of the demand of the Roman magistrate in 171 B.C.: ne cogeret vicesimas vendere Hispanos nisi quanti ipse vellet. From this remark it looks as if the Spaniards originally contributed one-twentieth of their grain. For a different explanation of this passage, *cf.* Marquardt, *St. Verw.* 2, 197. See also Rostowzew, *R.E.* 7, 154. The earliest arrangements in Sardinia cannot be made out with certainty; *cf.* Lécrivain, *Dict. Dar. s.v. tributum*, p. 432, n. 2. At all events a *decuma* was exacted of the people in the island.

[5] *Cf.* Cic. *in Verr.* 3. 12.

[6] Frank (*Roman Imperialism*, 209 *f.*) makes the interesting suggestion that this fixed annual payment was in lieu of a war indemnity. Thus Carthage at the end of the first Punic war was required to pay an indemnity of 3200 talents, and at the close of the second, 10,000. Macedonia, how-

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ever, after the victory of Paullus was not in a position to pay down an adequate amount. The annual payment, therefore, required of her may have been thought of as interest upon such a sum. It is more natural to suppose, however, that Rome simply continued the Macedonian system of a fixed payment of money each year. This conclusion seems to harmonize with the fact that the amount which the Romans exacted each year was exactly half that required by the kings.

[1] *Cf.* Marquardt, *St. Verw.* 2. 198 and nn.

[2] *Op. cit.* 200.

republic as a tax intended to supplement or fill out the contribution required under the *tributum soli*[1]. But as the policy of substituting payment in money for payment in kind developed, it was natural that this tax should become more important. The census which Augustus began in 27 B.C. in the provinces would furnish a sound basis not only for a just valuation of property[2], but for the imposition of a tax on all kinds of property, and the *tributum soli* took into account, not only the acreage and the character of land, but also the number of slaves employed and the equipment owned, while the *tributum capitis* was extended to cover other kinds of property[3].

In this connection a word may be said about the *scriptura*, or payment made by those who pastured their flocks and herds on state-land. Under the republic the right to collect the fees due for pasturage was let out to companies, but in imperial times the privilege of using public pasture-land was let out to the owners of large herds, or the lands were occupied by herds belonging to the emperor[4].

We have had occasion to notice in a preceding chapter that in the provinces the unit with which Rome dealt was rather the community than the individual[5]. In accordance with this principle the tribute was ordinarily paid, not by the *homo stipendiarius*, but by the *civitas stipendiaria*[6]. The provincial municipality therefore was made responsible for the payment of a certain amount, and this fact proved to be of tremendous significance in the subsequent history of Roman municipalities. When a government lays an obligation on a corporation, it must look to the officials of that corporation to satisfy it. If the obligation is a financial one, and if the corporation cannot or will not meet it in full, the officials must make up the deficit. This was the situation to which a municipality in the provinces was brought in the course of time by Rome's method of imposing a tax upon it and not on the individual subject.

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[1] Marquardt, *op. cit.* 203.

[2] Humbert, *Dict. Dar. s.v. census*, p. 1007, col. 1 and Kubitschek, *R.E.* 3, 1918 *f.*

[3] Chapot, *La prov. rom. proc. d'Asie*, 331. The house tax exacted in Cilicia (Cic. *ad fam.* 3. 8. 5) was an old Jewish tax (Josephus, *Ant. Iud.* 19. 6. 3) and was also levied in Egypt. This tax may explain the law against removing or tearing down houses in some municipalities.

[4] *Cf.* Humbert, *Dict. Dar. s.v. scriptura*; Rostowzew, *Gesch. d. Staatspacht*, 410 (62).

[5] *Cf.* p. 17.

[6] *Cf.* Marquardt, *St. Verw.* 2, 185, n. 7; Hirschfeld, 74, n. 6. This is clearly shown, for instance, by the statement of Apuleius (*Apol.* 101) that the *tributum soli* of Pudentilla was paid in for her to the quaestor of the village of Oea: Pudentillae nomine pro eo agello tributum dependi; praesens est quaestor publicus, cui depensum est, Corvinius.

Just as the Romans had taken over Hiero's system of taxation in Sicily, so they adopted his method of collecting taxes. Instead of collecting the tribute by means of government officials, they divided Sicily[1], and later the other provinces, into districts, and farmed out the privilege of gathering the taxes in each district to the highest bidder[2]. The difference between the amount bid by a *redemptor* and the sum which he was able to squeeze out of the taxpayers represented his profits under the contract, and Livy, Cicero's Verrine orations, and his letters from Cilicia set forth clearly the sufferings of the municipalities in the republican period under this iniquitous practice. Julius Caesar introduced a measure of reform into this system in Asia[3]. Augustus probably took the collection of the tribute away from the publicans in the imperial provinces[4], and by the time of Nero their activities were confined to the collection of the *vectigalia*[5]. It would be hard to imagine a more vicious method of collecting taxes than that which had grown up in the Roman world during the last century of the republic. Hiero's system in Sicily of farming the taxes out to local contractors made the tax-farmers amenable in some measure to local public sentiment. But when the Sempronian Law in 123 B.C. provided for the letting of the Asiatic tax-contracts to companies in Rome, it removed this salutary restraint on the greed of the tax-gatherer, and, what was worse, it led to the growth of financial organizations in Rome, which were strong enough to bend governors to their purpose and influence the senate and the courts. It was the irony of fate that this vicious system which bore so heavily on the subject peoples of Rome should have gained its strength from a law fathered by the great democratic leader, Gaius Gracchus. The empire not only did away with this method of collecting tribute, but it introduced other important reforms in provincial taxation. It substituted a money payment in most cases for the more harassing payment in kind. Provincial governors were kept under a stricter and more constant supervision. Their terms were long enough to enable them to inform themselves of conditions in their provinces and to remedy abuses. The taking of a careful census furnished a more equitable basis for taxation than had existed under the republic, and cities had the right of appealing to Rome from unjust decisions on matters of taxation.

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[1] *Cf.* Cic. *in Verr.* 3. 67, 75, 84, 86, 99.

[2] For the organization of the *societates publicanorum*, the technical terms applied to the officials in these organizations, and the method of collecting taxes, *cf.* Marquardt, *St. Verw.* 2, 184 *ff.*, 298 *ff.*; Rostowzew, *Gesch. d. Staatspacht*, 374 *ff.*; Hirschfeld, 68 *ff.*; Chapot, *La prov. rom. proc. d'Asie*, 324 *ff.*; Arnold, *Roman Provincial Administration*, 201 *ff.*

[3] *Cf.* Chapot, *op. cit.* 328.

[4] *Cf.* Lécrivain, *Dict. Dar. s.v. tributum*, 433, col. 2.

[5] *Cf.* Rostowzew, *op. cit.* 379; Mommsen, *St. R.* 2, 1017 *f.* and n. 1 end.

Up to this point we have been discussing the principal imperial tax paid by the provincial *civitates*. But in addition to the *tributum* the central government levied *portoria*, the *vicesima libertatis*, the *vicesima hereditatium*, the *centesima rerum venalium*, the *vicesima quinta venalium mancipiorum*, the *capitulum lenocinii*, a tax on gladiatorial shows[1], and, in the later period, the *annona*, the *collatio lustralis*, the *capitatio plebeia*, not to mention certain *vecti-*

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[1] *Cf.* no. 110.

*galia* of a temporary character[1]. The first of these imposts were laid under the republic. The *portoria* go back to the beginning of the republic[2], while Livy refers the *vicesima libertatis* to the fourth century[3].

The Romans applied the term *portorium* to a duty levied on merchandise in transit at a frontier, or when brought into a harbor or a city, or when transported over a bridge or along a road[4]. The establishment of an imperial customs duty was the result of natural development. At a very early period the Romans collected a duty on goods brought into their city. In the territory which they conquered they found states collecting such a tax on their frontiers or at the gates of cities. The victors took over from these subject communities the right to the duties, and developed in course of time a tariff system for the whole Roman world[5]. In other words they adopted the *portorium* from the conquered cities just as they had taken over the tribute from Hiero in Sicily[6]. Of the tariff districts in the West we can clearly make out four, viz. Spain, the Gauls, Illyricum, and the four divisions of Africa[7]. At the frontiers of these districts and also within the districts themselves, at river crossings or on the main highways, posts were established for the collection of customs[8]. The tariff was a flat *ad valorem* duty, levied for revenue only, and varied somewhat from district to district and from one period to another. Under the early empire it was 2½ per cent. in Gaul and Asia, and probably 5 per cent. in Africa and Illyricum[1]. Shortly after the time of Theodosius it seems to have been raised to 12½ per cent.[2] All articles intended for sale were subject to this duty, and it was exacted of all persons except those officially connected with the central government and excepting the members of certain privileged classes, like the veterans and the *navicularii*[3]. This tax and the method of collecting it were open to two serious objections. In the first place it interfered grievously with the freedom of trade, and enhanced the prices of raw material and manufactured wares. The trade of the empire suffered in the same way from the multiplicity of tariff districts as did that of France in the eighteenth century. It is only necessary to glance at a map of the Roman world to appreciate the delays and the expense to which a merchant would be subject, for instance, in importing wares into Italy from the East. The situation was made worse by the extortionate practices and the high-handed methods which the publicans adopted[4]. Literature is full of complaints of their conduct, and certain emperors went so far as to propose the abolition of the tax altogether[5]. But it was such a fruitful source of revenue that it lasted into the later empire.

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[1] *Cf.* Hirschfeld, 92, nn. 2, 3. A salt tax is recorded in Priene, *Inschr. von Priene*, 111; *cf.* Rostowzew, *op. cit.* 411 *ff.*; *Cod. J.* 4. 61. 11.

[2] *Cf.* Cagnat, *Les impôts indirects chez les Romains*, 6 *f.*

[3] *Cf. Hist.* 7. 16.

[4] *Cf.* Rostowzew, *op. cit.* 390, n. 115 and Lübker, *Reallexikon*, 373, col. 1.

[5] *Cf.* Cagnat, *op. cit.* 17 *f.*

[6] *Cf.* pp. 47 *ff.*

[7] *Cf.* Hirschfeld, 78; Rostowzew, *op. cit.* 391. Cagnat (*op. cit.* 17) gives seven districts in the West. Hirschfeld and Rostowzew omit Spain.

[8] For the Gallic region, *cf.* Cagnat, *op. cit.* 47–69; *cf.* also *An. ép.* 1919, no. 10, ll. 65–70.

The *vicesima libertatis* or *manumissionum* continued into the empire, but was probably abolished by Diocletian[6]. We may infer from the large number of freedmen of whom we hear in the late republic and the early empire that this tax brought a large sum into the treasury[7]. The master would naturally pay it when he rewarded a slave by granting him his freedom, the slave, when the enfranchisement was bought from the master. It was collected by publicans under the republic and the early empire[1]. It is interesting to notice that in some cases this tax went into the treasuries of the municipalities[2]. Augustus introduced the *centesima rerum venalium*, the *vicesima quinta venalium mancipiorum*, and the *vicesima hereditatium*. The first-mentioned tax was levied on goods sold at auction, and must have been regarded as oppressive, because several attempts were made to abolish or reduce it[3]. It continued however into the later empire. The 4 per cent. impost on the sale of slaves involved only an increase in the rate of the *centesima* when applied to a particular kind of property.

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[1] *Cf.* Hirschfeld, 79 *ff.*

[2] *Cf.* Cagnat, *op. cit.* 15 *ff.*

[3] *Cf.* Cagnat, *op. cit.* 119–125. Now and then people of a favored city were exempted from the payment of the *portorium*; *cf. ibid.* 125.

[4] *Cf.* Cagnat, *op. cit.* 88 *f.*

[5] *Cf.* Cagnat, *op. cit.* 9 *ff.*

[6] *Cf.* Hirschfeld, 109.

[7] For an attempt to calculate the amount in an early period, *cf.* Cagnat, *op. cit.* 173.

In this chapter we are not making a survey of Roman finances nor even of the Roman system of taxation. We are only concerned with the bearing of that system on the municipalities of the empire. We are interested therefore, primarily, in the imperial taxes which the provincials were required to pay. Now the inheritance tax was levied on citizens only, and, so far as the provinces were directly concerned, would affect merely the Roman citizens resident in them[4]. However, after the publication of Caracalla's edicts of A.D. 212 and 213, this tax was payable by all freemen throughout the Roman world, and from this time on the burden of it fell as heavily on provincial municipalities as in the earlier period it had fallen on Italian cities[5]. The tax was levied on estates above 100,000 sesterces bequeathed to heirs other than blood-relations[6]. The collection of it was farmed out up to the time of Hadrian. Thenceforth it was collected directly by the central government[1]. In the time of Justinian we hear no more of it[2]. One important point in the incidence of this tax in the provinces is not clear to us. Did it apply to land owned and bequeathed by Roman citizens? If it did, such land must have been subject to a double tax, since a *tributum* was also levied upon it[3]. Possibly in the provinces only movable property was liable to this impost. The history of this tax illustrates at the same time the gradual leveling of Italy and the provinces and the influence of an economic factor in bringing about a political change. When Augustus proposed an inheritance tax, to fall on Roman citizens, Italy had been free from the payment of the *tributum* for many years. The proposed tax, while not a *tributum*, was viewed in the light of a tribute[4]. It was a step toward removing Italy from the favored position which she had hitherto held when compared with the provinces, and Augustus carried out his purpose against the strong opposition of the senate only by threatening to impose the tribute on Italy. The extension of Roman citizenship by Caracalla to all freemen in the provinces is the last important step in the process of equalizing the political rights of provincials and Italians. The result of his action was to bring the provincials under the operation of the inheritance law[5]. Consequently the history of this tax, from Augustus to Caracalla, is synchronous with the process of reducing Italy to the political and social level of the provinces, and is intimately connected with it. The last step in this movement was taken by Diocletian. The *vectigal lenocinii* or *capitulum lenocinii* was at first farmed out, but later collected by agents of the government[1].

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[1] *Cf.* Hirschfeld, 106 *f.*; Rostowzew, *op. cit.* 380.

[2] *Cf.* p. 140, n. 6.

[3] *Cf.* Hirschfeld, 93.

[4] *Cf.* Pliny, *Panegyricus*, 37–39.

[5] For certain probable limitations on the extension of Roman citizenship, *cf.* Girard, *Textes*, 203–204, and the literature there cited.

[6] Outside of the fact that Augustus established it primarily as a source of revenue, he may well have thought that its provisions would help check race suicide. On this point *cf.* Hirschfeld, 98, n. 1.

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[1] *Cf.* Rostowzew, *op. cit.* 385.

[2] *Cf.* Marquardt, *St. Verw.* 2, 269.

[3] Hyginus (Lachmann, *Gromatici veteres*, 197) says: Excepti sunt fundi bene meritorum, ut in totum privati iuris essent, nec ullam coloniae munificentiam deberent, et essent in solo populi Romani. This raises the point whether Roman citizens living in non-Roman communities owned their property by Quiritary law. If so, their real estate would be virtually Roman soil. The statement of Hyginus would imply that the possessions of favored individuals were so regarded. We cannot tell whether Hyginus includes Romans under the class of *bene meriti*.

[4] *Cf.* Hirschfeld, 98, n. 2.

[5] For Caracalla's purpose, *cf.* no. 192 and pp. 191 *ff.*

In the later empire four important changes were made n the imperial system of taxation. For the first time, under Diocletian, a property tax was imposed on all the free cities in the provinces and on the cities of Italy. By this action the free cities lost in large measure their exceptional position, and Italy, in the matter of taxation, was reduced to the level of the provinces. A systematic contribution of food, in the form of the *annona*, was required throughout the empire. In the third place assessments were based on certain fixed fiscal units, and finally comprehensive changes were made in the method of collecting taxes.

To take up the second change, as we have already noticed, when the Romans acquired Sicily they took over the system of taxation which they found in existence there[2]. They exacted from the Sicilian cities the payment of a tenth part of their produce. Part of this contribution was used for the army of occupation, part of it for the city of Rome. As the population of the capital grew and agriculture in Italy declined, the quantity of grain which the Romans needed from the island increased correspondingly. Consequently, in addition to the regular *decumae*, which constituted the *tributum* of the island, *alterae decumae* were called for in times of need under a special law or decree of the senate. For this contribution a fixed price was paid[3]. Not infrequently a third contribution, the *frumentum imperatum*, was required. For this also payment was made. Rome paid too for the supplies delivered to the governor, the *frumentum in cellam*, or *frumentum emptum*, or

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[1] *Cf.* no. 112.

[2] *Cf.* p. 47.

[3] *Cf.* Cic. *in Verr.* 3. 42: senatus cum temporibus rei publicae cogitur ut decernat ut alterae decumae exigantur, ita decernit, ut pro his decumis pecunia solvatur aratoribus; ut, quo plus sumitur quam debetur, id emi non auferri putetur. *Cf. loc. cit.* 3. 163, 172.

*annona*, as it was called[1]. It is significant of the future that even the *civitates immunes* were required to join in furnishing these extra supplies. Payment in kind, as in the case of Sicily, either in the form of a quota of the produce or a fixed number of measures of grain, was required in certain other provinces[2]. On the other hand, from Macedonia and some other provinces a tribute in money was exacted. In the arrangements which were made in the early period we find all the elements out of which the system of Diocletian developed. Tribute was required from the *civitates* of the provinces in kind or in the form of money payments. Food was provided for the city of Rome and for the armies of occupation from the supplies which were levied as tribute and from those which were requisitioned, and the free cities, of Sicily at least, had to submit to requisitions. The development of the earlier system into that of Diocletian can be followed with some confidence. In the early days subject cities fell into classes. Those of the first class were called upon each year for a fixed sum of money. Residents in the other cities were required to contribute a quota of their produce, or a poll tax, or both. Gradually the exaction of a quota from the second class of cities gave way to the contribution of a fixed annual amount in kind, and still later for the contribution in kind a fixed money payment was established for most of the provinces. The first change made it possible to do away with the tax-farmers; the second one relieved the state from the trouble and expense attendant on storage and carriage. Two circumstances, however, in the later situation brought about a reversion to the earlier practices. The first of these two factors was the debasement of the currency, which began under Nero and had reached such a point under Gallienus that silver coins contained but 4 per cent. of silver[1]. The tax receipts in this depreciated currency left the treasury in great straits, and this situation in itself would have been sufficient to force a return to the practice of requiring payment in kind, but it was reinforced by the increasing demands for food of the city of Rome and of the armies. We are not surprised, therefore, to find Diocletian making a contribution of grain a fixed part of the tribute levied on all the provinces, and, since this contribution was intended primarily for the annual supply of Rome, it was naturally called the *annona*[2]. The decision of the government to collect a large part of the taxes in kind put a tremendous strain on the imperial post, which was charged with the transportation of this produce, and we may thus understand the bitter protests against the post made by the agricultural classes, for the burden of its maintenance fell largely on them[3]. Grain could be had only from farm land, and consequently this tax was laid only on the owners of such land. The objects of it were land, men, and animals. After A.D. 289 the rate of taxation and other pertinent matters were set forth each year in the *indictio* of the emperor[4]. The owners of other property than farm-land continued to pay the tribute. Subject cities were called on for both the *annona* and the tribute, while *civitates immunes* probably contributed only the *annona*[5].

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[1] *Cf.* Rostowzew, *R.E.* 7, 165; Liebenam, *R.E.* 4, 2310; Marquardt, *St. Verw.* 2, 113.

[2] Hyginus (Lachmann, *Gromatici veteres*, 205) says: Agri vectigales multas habent constitutiones; in quibusdam provinciis fructus partem praestant certam, alii quintas, alii septimas, alii pecuniam, et hoc per soli aestimationem. Certa pretia agris constituta sunt, ut in Pannonia arvi primi, arvi secundi, prati, silvae vulgaris, pascuae. His omnibus agris vectigal est ad modum ubertatis per singula iugera constitutum. The taxes on public lands varied as the provincial tribute seems to have varied.

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[1] *Cf.* Seeck, *R.E.* 3, 1515. Probably the mines of the empire did not produce a quantity of gold and silver sufficient for trade, and large amounts of the precious metals were exported to Arabia, India, and China; *cf.* Pliny, *N.H.* 12. 18, 82–84.

[2] Egypt and Africa, upon which Rome depended for supplies, had always continued to pay their tribute in kind. Consequently when the contributions of the other provinces, hitherto paid in depreciated currency, were converted into payments in kind, these two provinces were much less heavily taxed than the others; *cf.* Seeck, *R.E.* 3, 1516.

[3] *Cf.* nos. 51, 156.

[4] *Cf.* Seeck, *R.E.* 3, 1516.

[5] *Ibid.*

Diocletian based the assessment of taxes on a fiscal unit called the *caput* or *iugum*. A uniform tax was collected on all *capita* and *iuga*. A *caput* was the working power of a man in good health[1]. In the West this was the term commonly used of the fiscal unit. Less frequently the terms *millena* and *centuria* were employed. Two women, a certain number of animals, or a fixed amount of land of a specified sort also constituted a *caput*. In the East the unit, when made up of men, women, or animals, was called a *caput*, when composed of land, a *iugum*. Thus in the Diocese of the Orient a vineyard of five *iugera*, cultivated land of twenty *iugera*, or a certain number of olive trees made up a *iugum*[2]. The amount due on each *iugum* or *caput* was fixed by an imperial edict, and the taxes thus assessed were levied under the general supervision of the praetorian prefects, the *vicarii*, and the governors of provinces. When the amount to be paid by a province had been determined, the governor apportioned it among the several cities within the province according to the number of taxable *capita* or *iuga*[3].

Diocletian's system was devised to bring within its sweep all the property in the empire, and for convenience in discussion the people may be thought of as falling into three great classes, the *possessores*, the *negotiatores*, and the *coloni*. The *possessores*, or owners of land or of other property, paid the *annona* or the tribute. The tax on the *coloni* or *plebs rusticana extra muros*, who presumably had no property, was the *capitatio plebeia* or *humana*. Perhaps this impost may be thought of as the lineal descendant of the *tributum capitis* of the earlier period, but limited in its incidence to the lowest class of freemen, and amounting essentially to a poll tax. The merchants, or *negotiatores*, were subject to an impost called the *collatio lustralis* or, more fully, the *lustralis auri argentive collatio*. We find it first mentioned as *aurum negotiatorium* in the reign of Alexander Severus[1]. With few exceptions it fell upon all those who sold articles of any sort, and it was levied on the basis of the capital invested in the business[2]. As the name of the tax indicates, it was properly collected every five years or every four years, but evidently it was also frequently collected when a new emperor ascended the throne. Each new emperor found it very important to win the support of the troops by giving them largesses, and these gratuities had to be given in money. Thus, for instance, Julian on being made Augustus in the fourth century gave to each soldier five *solidi* and a pound of silver[3]. Each city was required to contribute a specified sum. Similar in character was the *aurum oblaticium*, theoretically a voluntary gift of money made by the Roman senate on the accession of an emperor and on certain other occasions.

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[1] *Cf.* Seeck, *R.E.* 3, 1517, 1564 and the passage from the *Cod. Th.* 13. 11. 2 there quoted: cum antea per singulos viros, per binas vero mulieres capitis norma sit censa. See also in general Seeck, *R.E.* 3, 1513 *ff.*; Lécrivain, *Dict. Dar. s.v. tributum*, 434 *ff.* and Marquardt, *St. Verw.* 2, 224 *ff.* The value of the *caput* was somewhat changed by Theodosius the Great in A.D. 386. He rated five men or eight women as two *capita*; *cf.* Seeck, *R.E.* 3, 1517 and *Cod. Th.* 13. 11. 2.

[2] *Cf.* Seeck, *R.E.* 3, 1519; Marquardt, *St. Verw.* 2, 221 *ff.* See also the description of the *iugum* in a passage cited by Mommsen (*Hermes*, 3 (1869), 430) from a Syriac collection of laws of A.D. 501 and *CIL.* x, 407 and *IG.* XI, 3, 180, 182, 343–9.

[3] The inscription of the year 323 from Vulceii in Lucania (*CIL.* x, 407) cited by Marquardt, *St. Verw.* 2, 229, is very illuminating in this connection. It specifies the sum to be paid by the entire commune, and gives a list of the *possessores*, arranged according to *pagi*, with the amount to be paid by each taxpayer. Inscriptions from Thera and Astypalaea (*IG.* XI, 3, 180, 182, 343–9) and fragments of inscriptions from Lesbos and Tralles (*B.C.H.* 4 (1880), 336, 417 *ff.*) contain other pertinent information.

The officials directly responsible for the collection of the taxes were the annually chosen *exactores*, who based the collection on the lists drawn up by the municipal *tabularii*, and gathered the taxes with the help of groups of *susceptores*, each group being chosen to take charge of a particular kind of impost[1]. Decurions were generally selected as *susceptores*, and the *exactores* also were usually *curiales*. Even in Egypt, where the civic and fiscal arrangements at first differed in many respects from those which had been adopted elsewhere in the Roman world, the tax system under the later empire resembled in many ways that which has just been described[2]. The fact that a fixed amount was expected of each city and that the decurions of the city were called upon to collect this sum dealt a fatal blow to municipal government when the prosperity of the empire declined. Diocletian's system presupposed periodical revisions of the census. If these had been made regularly and systematically, and if the taxes of a city had been reduced as its property declined in value, the cities could have borne their burden, but frequent and thoroughgoing revisions were not made, land was abandoned, and tax-payers became insolvent[3]. In point of fact the imperial government could not see its way clear to reduce the running expenses of the civil and military establishments, and the situation was made worse by civil and foreign wars. When land was abandoned, some efforts were made to collect the lost taxes from adjacent owners[4], to bring lands into cultivation again by settling *coloni* upon them[5], but in the end the responsibility of paying over the taxes to the government rested on the shoulders of the *curiales*[6]; their lands were made inalienable, they were forbidden to leave their *civitas*, or to escape their responsibility by entering the army, the civil administration, or even a cloister[7].

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[1] *Cf. Hist. Aug. Alex.* 32. 5.

[2] *Cf.* Seeck, *R.E.* 4, 370.

[3] *Cf.* Ammianus, 20. 4. 18 and Seeck, *op. cit.* 4, 374 *ff*.

The Egyptian tax system differed in some respects from the system in vogue elsewhere in the Roman world and requires a few words of explanation. The revenues of the Ptolemies came chiefly from the rent of the land, for all the land in Egypt was owned by the crown. Certain monopolies also were controlled by the state and must have yielded a good profit. Taxes were levied on buildings, stock, and slaves, and a head tax was imposed from which Greeks and Macedonians were exempt. Artisans and traders paid a license fee. Export and import duties were levied. In addition to these taxes liturgies were imposed for such public purposes as surveying, the construction of irrigation works, the maintenance of the police, the entertainment of the court or of public officials on their journeys, and the billeting of troops[1].

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[1] *Cf.* Lécrivain, *Dict. Dar. s.v. tributum*, 436, col. 2.

[2] *Cf.* pp. 133 *f. infra* and Wilcken, *Grundzüge*, 356 *ff.*

[3] *Cf.* Lécrivain, *op. cit.* 434, col. 2.

[4] *Cf.* Lécrivain, *op. cit.* 437, col. 1.

[5] *Cf.* Humbert, *Dict. Dar. s.v. deserti agri*, 107, col. 2.

[6] *Cf.* Humbert, *op. cit.* 108, col. 1 and the references there given to *Cod. Th.* 12. 1. 54; *Cod. J.* 10. 72 (70). 2, and other sources.

[7] *Cf.* pp. 103 *ff.*, 206 *ff.*

The Romans made very few changes in the Ptolemaic system, and in respect to taxation the period from Alexander the Great to Diocletian may be regarded as a unit[2]. Two important changes were made, however, which were destined to affect the economic life of Egypt profoundly. The court at Alexandria to which tribute had hitherto gone was abolished by Augustus, and a tax of twenty million Roman bushels of wheat was demanded annually for the provisioning of Rome. The tribute paid to the Ptolemies had for the most part remained within the country, but there was no economic return for the wheat sent to the capital. In the second place certain changes were introduced in regard to the ownership of land by which private tenure was recognized. With the consequent growth of a propertied class, the introduction of such a liturgical system as prevailed in other parts of the Orient was made possible. The Ptolemaic administration had been carried on by a highly organized bureaucracy, in which service was voluntary and requited by the government. With the development of liturgies by the Romans, the Egyptians were forced to give their services to the state, and their property was liable to distraint in case of default or losses incurred in the discharge of their duty[1].

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[1] The subject of taxes in Roman Egypt is treated by Wilcken, *Gr. Ostraka*, 422 *ff.*; *Grundzüge*, 169 *ff.*; Jouguet, *Vie munic.* 234 *ff.*; 385 *ff.*; 415 *ff.*

[2] Wilcken, *Grundzüge*, 186.

The Romans introduced a few new levies such as the tax on Jews, on manumissions, and on inheritances. The poll tax, which is mentioned only once in the Ptolemaic period, was applied more generally than had been the case in the previous period. The fixed price for the purchase of military supplies, in so far as it was below current market quotations, virtually constituted a tax on the producer[2].

The metropolis of each nome acted merely as an agent of the state in collecting the taxes. Apparently the city had no public revenue of its own, but in cases where expenses were incurred, the officials of the metropolis could draw upon the reserves of the state funds still on deposit in the local treasury, possibly under the supervision of the *strategus* of the nome[3].

When Septimius Severus gave a senate to the capitals of the nomes, it is probable that there was some reorganization of the financial status of the new cities, but the evidence bearing on the question is so slight that no clear picture of conditions can be presented. The chief revenues of cities in other parts of the empire came from lands in their *territoria*. There is no evidence that Severus transferred any of the crown lands to the new cities, but since, in creating a senate, it was his evident purpose to provide greater security for the proper discharge of liturgical duties, the new order may have had a greater measure of control of the imperial treasury in the metropolis which virtually guarded the revenues of the nome. Jouguet points out that the powers of the στρατηγός steadily diminished in the third century until the office finally disappeared[1]. Its decadence may indicate that the state recognized in a passive way that the nome was municipal territory. Temple property (ἱερὰ γῆ) seems to have come under control of the local senates to a certain extent, and the state often assigned lands to communal organizations for forced cultivation[2]. By gifts, confiscation, and by the surrender of land which had been abandoned by owners for various reasons, the city acquired a certain amount of revenue and became the owner of new territory, although in the case of abandoned estates the city experienced an increase in burdens rather than in revenues[3]. We hear also of water rates, rents of stands in the public market, and taxes on buildings[4]. It is possible that monopolies of mines and of oil were in some cases taken over from the state by the city and exploited in the latter's interest[5]. It is probable, however, that the local administration was largely supported by the personal charges of the magistrates and of incumbents of liturgical offices. Legislation was enacted to restrain the extravagance of ambitious office-holders, who had raised the standard of outlay so high that it was often difficult to find candidates for office[6]. In some cases endowments were provided to relieve the expenses attached to liturgies[7]. Under the reorganization of the fourth century the system of taxation in the Egyptian municipality conformed to that in the rest of the empire[8].

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[1] Bell, *Journal of Egyptian Archaeology*, 4 (1917), 86 *ff.*

[2] Wilcken, *Grundzüge*, 187, 356 *ff.*, 374 *ff.*

[3] Jouguet, *op. cit.* 309 *ff.*

To return now to another phase of general financial conditions in the empire, nothing need be said of the imperial taxes levied for a short period, but no clear idea can be had of the financial demands made on the provincials by the central government, unless one takes into consideration also the requisitions and other exactions to which the people in the provinces were subject especially under the republic. The Verrine orations of Cicero, his letters from Cilicia, the *Annals* of Tacitus, and the letters of Pliny give us abundant information on this point. Rich provincials, like Heraclius[1], suffered the confiscation of their property on some legal pretext. Country districts were required to furnish wild animals for games to be given in Rome by some friend of a governor[2]. Extortion was practiced in securing the grain needed for the governor's household[3], and cities paid large sums for altars, statues, and festivals in honor of the governor[4], for honorary deputations to Rome[5], and for the privilege of being relieved from the billeting of soldiers[6]. The disastrous effect on the provinces of such practices as these is clearly shown in Cicero's account of the condition of Cilicia when he took over this province from his predecessor, Appius[7]. With the establishment of the empire these abuses diminished. Provincial governors received an adequate salary, so that the temptation to fill their pockets by irregular means decreased. They held their offices for a longer term than republican governors had, and therefore came to know better the needs and difficulties of the provincials. The building of roads, the introduction of a postal system, and the establishment of provincial bureaus at Rome kept them constantly under the supervision of the emperor, and the favor which the early emperors showed for the provincial assemblies gave the provinces an opportunity to lodge formal complaints against extortionate governors. Tacitus records eight cases of provincial governors tried by the senate under Tiberius, two under Claudius, and eleven under Nero, and in most of these cases the accused governor was convicted and punished. The bad practice of making contributions to the emperor, which were ostensibly voluntary, still continued, and in the later period these contributions, as we have seen, were converted into required money payments[1]. One new form of exaction under the empire, that connected with the *cursus publicus*, gave rise to endless complaints on the part of the provincials[2]. In this connection the restriction placed on private enterprise in the provinces by the government ownership of mines and quarries, by the state monopoly in salt, and by the refusal to allow wine and oil to be produced in certain districts may be mentioned[3], but does not call for extended comment.

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[1] *Ibid.* 386.

[2] Wilcken, *Grundzüge*, 126.

[3] Jouguet, *op. cit.* 418.

[4] *Ibid.* 426.

[5] *Ibid.* 428; *cf.* no. 204, where the municipality exercises a certain amount of control over the guild of weavers. Ll. 1 *ff.* bear on the relation of the nome to the municipality in financial matters.

[6] No. 169.

[7] No. 189.

[8] Bell, *loc. cit.*

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[1] Cic. *in Verr.* 2. 35–42.

[2] Cic. *ad fam.* 2. 11. 2.

[3] Cic. *in Verr.* 2. 169–173.

[4] Cic. *op. cit.* 2. 144 *ff.*

[5] Cic. *ad fam.* 3. 8. 2 *ff.*

[6] Cic. *ad Att.* 5. 21. 7.

[7] Cic. *ad Att.* 5. 16. 2: Audivimus nihil aliud nisi imperata ἐπικεφάλια solvere non posse, ὠνὰς omnium venditas; civitatum gemitus, ploratus: monstra quaedam non hominis, sed ferae nescio cuius immanis. Quid quaeris? taedet omnino eos vitae.

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[1] *Cf. supra*, pp. 131 *f.*; Seeck, *R.E.* 3, 1543 *f.*

[2] Nos. 51, 156.

[3] Frank, *Roman Imperialism*, 210, 280 *f.*

## CHAPTER X

# MUNICIPAL FINANCES[1]

THE residents of a *civitas* were practically exempt from the payment of municipal taxes. Local taxation could not be introduced, because the tax was a sign of servitude. Rome could exact tribute, because she was mistress of the world, but for citizens of a municipality to pay taxes to a government which they themselves had established was out of harmony with their way of thinking. At the most, municipal charges could be made for the enjoyment of certain privileges. A city's revenues came largely from the *territorium* owned by it. The cities conquered by Rome usually owned land adjacent to their walls, and Rome commonly allowed them to retain at least a part of it. To the colonies an outlying district was assigned when they were founded[2]. Generals under the republic and emperors not infrequently gave large districts to a friendly or favored city. Thus S. Calvinus made large additions to the territory of Massilia, and the mother city, Ilium, received similar favors at the hands of emperors. Occasionally a city received gifts of land from private persons[3]. Many of these dependent districts were of great extent. Nemausus had twenty-four *oppida attributa*, and Centuripae owned lands in many parts of Sicily[4]. Sometimes a *territorium* was far away. Arpinum, for instance, drew most of its revenue from land in Cisalpine Gaul[5]. For the use of such land dependent communities paid a fixed sum to the city treasury each year, as we can see from the famous award made to Genua in its action against the Langenses in 117 B.C.[1] Monopolies formed a source of municipal revenue in some cases. The banking privilege was controlled by eastern cities where they still preserved the right to issue a local coinage. The exchange of the native money for foreign currency was usually regulated by the municipality under imperial supervision and leased to private corporations[2]. The problem of industrial monopolies is obscure and little evidence can be found. Ferries seem to have been controlled by some seaport towns[3]. At Urso the charter threatens confiscation if anyone owns a tile or pottery factory above a limited capacity[4]. This clause may have been inserted because the industry was a municipal monopoly. In Egypt the towns took over certain industries from the state in later times[5]. A source of revenue came from the sale of the privilege of citizenship in more favored communities[6]. Some cities owned the fishing privileges in adjacent lakes or rivers[7], and these privileges were farmed out[8]. The municipal charges which came nearest to being taxes were the *portoria*, the octroi, and the water rates. Probably in the early period many towns were allowed to cover port duties into the municipal treasury. Athens, for instance, enjoyed this privilege at one time[9], and, as late as the fifth century, the Carian city of Mylasa recovered this right, which it had enjoyed under the republic, for its harbor of Passala[1]. But gradually Rome took over in most cases the right to fix and receive port duties. An interesting list of duties imposed for the benefit of a municipality is furnished by the tariff of A.D. 137 of the inland city of Palmyra[2]. The dutiable articles include among other things slaves, cattle, salt fish, olive oil, and cloth. From an edict of Augustus found at Venafrum[3], from the Palmyra list[4], and from references in literature[5], it seems clear that many municipalities laid an annual charge at least upon the proprietors of industrial establishments and private baths, upon the owners of large houses and villas, and upon others who drew a large quantity of water from the public supply. Some inscriptions, coming from Thessalian towns, show that in certain municipalities manumitted freedmen paid the fee for manumission into the municipal treasury. It is possible that these municipalities acted as receivers for the imperial government, but it is more probable that the fee in these cases constituted a municipal charge and not an imperial tax[6]. In some oriental cities also priesthoods were sold to the highest bidders[7].

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[1] In this chapter, in discussing municipal revenues and expenditure, frequent use has been made of the large amount of material collected by Liebenam, *St. Verw. Cf.* also Laum, *Stiftungen in der gr. u. röm. Antike*, for endowments in ancient cities.

[2] Kornemann, *R.E.* 4, 573 *ff.*

[3] Liebenam, *op. cit.* 10 *f.*

[4] Pliny, *N.H.* 3. 4. 37; Cic. *in Verr.* 3. 108.

[5] Cic. *ad fam.* 13. 11. 1; *CIL.* v, 7749, l. 25.

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[1] No. 10.

[2] Nos. 81, 133, 199; *I.B.M.* 1000.

[3] Nos. 70, 128; *cf. P. Oxy.* 1454 for municipal bakers, and no. 124 for a strike at Ephesus.

[4] No. 26, chap. 76.

[5] No. 204.

[6] No. 130; at Tarsus a fee of 500 drachmae was exacted for the grant of citizenship (Dio Chrys. 34. 23). Augustus forbade the Athenians the right of conferring such decrees for a price (Cassius Dio, 54. 7).

[7] No. 68. In this case the fisheries seem to be the sole source of municipal income. *Cf.* Strabo, 12. 8, p. 576.

[8] *Dig.* 43. 14. 1, 7.

[9] Liebenam, *op. cit.* 24. In no. 96 the senate grants permission to establish a market (*cf.* nos. 147, 148). Was this permission required because of a state or municipal tax which was involved in the concession?

[1] *CIL.* III, *S.* 7151; Dessau, *Hermes*, 19 (1884), 531. Possibly Vespasian's edict made a similar concession to Sabora in Baetica, *cf.* no. 61.

[2] This list was published in Aramaic and Greek. For the Aramaic version, *cf.* de Vogüé, *Journal asiatique*, 8 (1883), série I, 231 *ff.*; II, 149 *ff.*; Schroeder, *Sitzungsber. d. Berl. Akad.* 1884, 417 *ff.* For the preface to the Greek version, *cf.* no. 89. The tariff at Zarai (*CIL.* VIII, 4508) was imperial, not municipal, although the dutiable articles are similar to those mentioned at Palmyra. The tariff at Koptos (Ditt. *Or. Gr.* 674) was imperial.

[3] No. 33.

[4] Dessau, *Hermes*, 19 (1884), 522.

[5] *E.g.* Cic. *de lege agr.* 3. 9.

[6] The fee for manumissions was usually taken by the imperial government (*cf.* pp. 124 *ff.*). That the payment was made to the municipal treasury in the case of the towns mentioned, *cf.* the inscriptions published in Ἐφ. Ἀρχ. 1915, 8 *ff.*, 1916, 28 *ff.*, 73 *ff.*, 1917, 7 *ff.*, 111 *ff.* in which the fact is recorded that certain manumitted freedmen paid the fee to the municipality according to law (*κατὰ τὸν νόμον*).

[7] *Cf.* p. 79 and n. 6.

Fines imposed for the violation of local ordinances or of the fundamental law of a city of course came into the municipal treasury, so long as the local magistrates exercised judicial functions. Offenses of the first sort included infringement of traffic ordinances, displacement of *termini*, injuring public property, defiling sacred or public places, burying the dead within certain proscribed limits, and maltreatment of a tomb or place of burial. Hundreds of epitaphs have been found, especially in Italy and the Greek East, which threaten with heavy fines anyone who violates the sanctity of the tombs on which the inscriptions are engraved[1]. Sometimes payment is to be made to the imperial fisc[2], sometimes to a priesthood[3], but commonly to the municipal treasury[4]. The fine threatened amounts in some cases to as much as 100,000 sesterces[5]. Under what authority such fines could be imposed is a matter of great dispute[6]. Was action taken under local ordinances, and did these ordinances fix the penalty or leave it to be determined by the builder of the tomb? These are difficult questions, which admit of no satisfactory answer as yet[7]. It would seem highly improbable, however, that so many epitaphs should threaten the imposition of a fine, if it could not be collected by legal action. Perhaps the difficulty is explained by the fact that municipalities and imperial estates often laid out cemeteries on their land and sold burial lots. In that case there would have been legal authority for the imposition of these fines. From this source therefore, in certain parts of the Roman world, some revenue would come into the municipal treasury. The penalties for malfeasance in office or for corrupt practices in the elections were very severe. A duovir, for instance, convicted of receiving a gift from a contractor was subject to a fine of 20,000 sesterces in the colonia Genetiva Julia[1], and in the same city any person making a gift with a view to his candidature for office was required to pay 5000 sesterces[2].

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[1] Liebenam, *op. cit.* 43–53.

[2] *CIL.* III, 168.

[3] Wilmans, 291.

[4] A typical case is *CIL.* III, 2098: veto autem in hac arca alium corpus inferri aut ossua poni; si quis autem intulerit, dabit rei publicae Salonitarum nummum x milia.

[5] *E.g. CIL.* x, 2015.

[6] Liebenam, *op. cit.* 37 *ff.* and the literature cited by him, p. 37, n. 4.

[7] Some references to local ordinances have been found (Liebenam, *op. cit.* 42, n. 4) and sometimes the statements on tombstones specifying the fine are couched in legal form.

A surer and larger revenue, however, came into the city treasury from the voluntary or required gifts made by magistrates or priests on their accession to office. The charter of the colonia Genetiva Julia required each duovir and aedile to contribute out of his own pocket at least 2000 sesterces toward the cost of the public games[3]. The initiation fees in this case were unusually small, because the colonists were drawn from the Roman proletariat, and the sum mentioned in the charter is the minimum amount required, the *summa legitima*, to which officials often made large additions[4]. Inscriptions record the payment into the city treasury by magistrates and priests of sums ranging from 3000 to 35,000 sesterces. In one instance, at Calama in Africa, a newly elected pontifex contributed 600,000 sesterces[5]. Mention of these initiation fees is made more commonly in the West than in the East. Their place was taken in the Greek Orient by the liturgy which was imposed there on the richer people in a city without regard to their incumbency of office. In fact the practice of requiring or expecting contributions from newly elected officials in the West may well have been suggested by the eastern liturgy. In addition to the required or voluntary contributions made by officials large gifts were made by private citizens for public purposes. The spirit of rivalry between the towns of a province made each one anxious to surpass its neighbors in the beauty and magnificence of its buildings and streets, and the local pride which this sentiment developed laid an obligation on the wealthy to contribute generously to the construction and maintenance of temples, markets, and baths, the laying of pavements and sewers, and to the cost of public games and festivals[1]. During the early centuries of our era, while the empire was prosperous, gifts of this sort must have formed an important part of municipal revenues.

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[1] No. 26, chap. 93. [2] *Ibid.* chap. 132. [3] *Ibid.* chaps. 70, 71.

[4] *CIL.* VIII, 8300: statuam quam ob honorem aed. super legitimam ex sestertium IIII mil. mun. pollicitus ampliata pec. anno suo posuit. *Cf.* also VIII, 4594.

[5] *CIL.* VIII, 5295.

Let us turn now to the expense side of an ancient municipal budget. One of the items which bulks largest in its modern counterpart, the outgo for salaries, found no place in it. As we have just noticed, magistrates, instead of receiving salaries, helped to pay for the public improvements and running expenses of the city, and menial labor was performed by slaves which the city owned, so that only a few minor officials received pay. The public slaves cleaned the streets, took care of the public buildings, and performed other similar duties. We have left then to consider the construction and repair of public works, the prevention of fires, the policing and lighting of the streets, and provision for amusement, education, charity, the preservation of health, and the maintenance of religion. Of these items the expenditure for public works and for the amusement of the people made the heaviest drain on the city treasury.

Those who visit today the sites of ancient cities like Pompeii or Timgad are surprised at the number and size of the basilicas, colonnades, baths, theatres, market halls, arches, and aqueducts which they find. Immense sums of money were spent on public works of these kinds, and thereby the financial condition of many cities was imperilled. One may recall in this connection the expenditure at Nicomedeia of 3,000,000 sesterces on an aqueduct which had to be given up[2], and the appropriation of 10,000,000 sesterces at Nicaea for a theatre which was found to be structurally defective before it was completed[1]. As we learn from the inscriptions, municipal funds for the construction of public buildings were lavishly supplemented by private gifts, and sometimes legacies were left for the maintenance of the buildings, but many cities must have found themselves the proud possessors of theatres, colonnades, and market halls, whose repair and maintenance made an intolerable drain on the public treasury when prosperity declined. Baths in particular were a source of great expense. Not only did they have to be repaired, but the cost of heating them and of furnishing oil to the bathers was heavy. The small city of Pompeii had three large public baths, and it would seem as if no town in the empire was small enough to get on without them. In 387 the emperor could find no more severe way to punish the people of Antioch for an uprising than to close the public baths of that city. An ancient item which is not to be found in a modern municipal budget was the cost of building and repairing the city-walls. This expense naturally varied from one period to another and was different for the different parts of the Roman world. For many generations after the position of Italy had been made secure, walls were allowed to fall into decay, but the pressure of the northern barbarians spurred the Italians on to improve their defenses. City-walls in the provinces, especially near the frontier, were always kept in better repair than those of Italy, and in the later period, when the empire was threatened on all sides, a large part of a city's revenues had to be devoted to this object[2]. The paving of the streets and the nearby roads was of course a charge on the municipal budget, and must have been heavy because of the costly nature of the ancient system of paving. In the early empire the state assumed the cost of building and maintaining the main highways, but from the third century on this burden fell mainly on the municipalities. The cost of constructing and maintaining the water and drainage systems in an ancient city must have been an important item in the municipal budget. The treatise of Frontinus for the city of Rome, the remains of aqueducts elsewhere, the large number of public and private baths, and the elaborate drainage system brought to light in Pompeii all testify to this fact[1].

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[1] Abbott, *The Common People of Ancient Rome*, 179 *ff*.

[2] Plin. *Epp. ad Trai.* 37. 1.

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[1] Plin. *Epp. ad Trai.* 39. 1.

[2] *Cod. Th.* 5. 14. 35.

Next in size to the outlay for public works, as we noticed above, came the expenditure for amusement, especially in the form of public games and festivals. The public *ludi circenses*, *ludi scaenici*, *munera gladiatoria*, and *venationes* were given in connection with some religious festival or were in commemoration of some important public event, and rapidly increased in number under the empire[2], until under Constantius II there were one hundred and seventy-six festivals each year in Rome[3]. Numerous inscriptions referring to local public games, found in all parts of the empire, show that this form of amusement was as popular outside of Rome as it was in the capital. The cost of these games, except in so far as it was met by the contributions required of magistrates and by private gift, was defrayed by the municipality. The central government made earnest efforts to check this form of local extravagance, but probably without much success[4]. While the celebration of religious festivals constituted a heavy charge on the local treasury, a city was required to pay very little for the maintenance of religious cults, because most temples had endowments of their own[5]. The cost of policing and lighting the streets, and of protecting a city from fire, must have been very small, because little attention was paid to these matters[6]. Except in rare cases, municipalities paid out little money for education[1], for public libraries[2], or for charity[3]. In one respect only did the cities make a systematic effort to relieve the poor. Many of them imitated the capital in supplying grain to the needy at a low price[4]. This form of charity, if it deserves to have that word applied to it, must be distinguished of course from the *alimenta*. Italian municipalities had some control over the *alimenta*[5], but they did not supply the funds for the purpose[6], and therefore a consideration of this subject does not come within the scope of this chapter.

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[1] Puchstein, *R.E.* 4, 58 *f.* and literature there cited.

[2] For a history of this development, see Wissowa, *Religion u. Kultus d. Römer*, 365–399.

[3] *CIL.* I, 293 *f.* and Wissowa, *op. cit.* 492–515.

[4] No. 110. The imperial tax upon the gladiators virtually fell upon the municipality or those who gave the shows.

[5] Liebenam, *op. cit.* 69 *ff.*

[6] *Ibid.* 153, 357 *ff.*, 408, n. 2.

We are especially concerned with the attitude which the central government took toward the municipalities in the matter of their finances. In general it adopted the policy of rewarding those who were friendly and of punishing those who were hostile. For the firm stand which it took in favor of Rome in the Mithradatic war Sulla made several neighboring villages dependent on Stratonicea in Caria[7]. Amisus in Pontus won the favor of Lucullus and received an addition of one hundred and twenty stadia to its *territorium*[8]. On the other hand Caesar deprived Massilia of most of its *territorium* because of its opposition to him in 48 B.C.[9] Other instances of a similar kind occur in the later period.

So far as the *portoria* were concerned, we have already noticed that Rome followed the general policy of taking these over for her own use[1]. She probably adopted this policy not only for the sake of the revenue which the customs duties brought her, but, if she had left the right of imposing them to the municipalities, some coast towns might have abolished their tariffs altogether, and diverted all the seagoing trade from their rivals. Perhaps reference is made to the assumption by the central government of the right of collecting the *portoria* in the brief account which Suetonius gives of the policy of Tiberius in this matter[2]. Certain of the later emperors, for instance, Hadrian, Alexander Severus, and Julian, reversed this policy and allowed the *vectigalia* to be paid into the municipal treasury[3]. In Hadrian's case this act of generosity may have been due to his interest in the provinces. Alexander Severus and Julian may well have made their concessions because of the financial needs of the municipalities concerned.

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[1] Barbagallo, *Lo stato e l'istruzione pubbl. nell' Imp. rom.*

[2] For the city of Rome, *cf.* Boyd, *Public Libraries and Literary Culture in Ancient Rome*; for other cities, *cf.* Lübker's *Reallexikon*, 169 *f.* and the literature there cited, and Cagnat, *Les bibliothèques municipales dans l'empire romaine.*

[3] Liebenam, *op. cit.* 98 *ff.*

[4] *Ibid.* 109 *ff.* The compulsion to sell supplies at a fixed price, in so far as this was below the current quotations, virtually formed a tax upon the producers. *Cf.* no. 90.

[5] Hirschfeld, 215 *ff.*

[6] Kubitschek, *R.E.* 1, 1484 *ff.*

[7] *B.C.H.* 9 (1885), 437–474 and Chapot, *La prov. rom. proc. d'Asie*, 26 *f.*, 37, 38, 81; no. 17.

[8] Appian, *Mithr.* 83; Plutarch, *Luc.* 19.

[9] Cassius Dio, 41. 25; Florus, 2. 13; Oros. 6. 15. 7.

With the establishment of the empire came a better acquaintance with provincial conditions and greater sympathy with provincial needs. It is an interesting thing to notice that the last paragraph of the *Res Gestae Divi Augusti* records the generosity of Augustus toward cities destroyed by fire or earthquake[4]. The statement does not come from the pen of Augustus. It stands in a supplement which was added, probably, under the instructions of a local magistrate of Ancyra. The rest of the appendix simply summarizes the document proper. The item in question, however, is not mentioned in the main body of the text. It seems therefore to be a tribute to Augustus, spontaneous or official, from the point of view of a provincial living in a part of the world where the generosity of the emperor had been especially shown, and it may not be unnatural to think that the writer of it felt that the generous efforts of Augustus in behalf of cities in distress marked a new era in the relations between Rome and the municipalities. Both Suetonius[1] and Cassius Dio[2] speak of the help which Augustus gave to many cities injured by earthquakes, and we hear specifically of assistance rendered to Neapolis[3] and Paphos[4]. Tiberius followed this policy[5], notably in the case of the fourteen cities of Asia which were destroyed by an earthquake[6], and similar acts of generosity are set down to the credit of Claudius, Nero, Vespasian, Titus, and of emperors of the second century[7]. The personal interest of Trajan and Hadrian in the provincial cities went still farther. Trajan built roads and bridges and dug canals in the Danubian region, in Spain and Egypt[8], and the tribute of Hadrian's biographer that *in omnibus paene urbibus aliquid aedificavit*[9] is abundantly confirmed by the records[10]. The emperors were especially generous in helping cities to construct their aqueducts, and we have many inscriptions commemorating the assistance which they rendered for this purpose[11]. We have already had occasion to notice that as the danger from the barbarians increased it was necessary to rebuild and strengthen the walls of many cities[12]. This measure was so vital to the safety of the empire that the central government sometimes devoted a part of the imperial revenue to this purpose and sometimes compelled a city to apply to it a fixed portion of its receipts. Alexander Severus helped cities to restore their walls, and Liebenam recalls the fact that Constantius in the year 358 turned over one-fourth of the revenue from the *vectigalia* to be used in building the walls of the cities of Africa, and Diocletian recommended the diversion to a similar purpose of municipal funds collected for public games[1]. On the other hand, there was a growing tendency to put imperial charges on the treasuries of the municipalities. Cases in point are the building and mending of the roads and the maintenance of the *cursus publicus*[2].

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[1] *Cf.* pp. 123 *ff.*

[2] Plurimis etiam civitatibus et privatis veteres immunitates et ius metallorum ac vectigalium adempta, Suet. *Tib.* 49.

[3] For Hadrian's action in the case of Stratonicea, *cf.* no. 83. Alexander Severus (*Hist. Aug. Alex. Sev.* 21) "vectigalia civitatibus ad proprias fabricas deputavit." *Cf.* Ammianus (25. 4. 15) who says of Julian, vectigalia civitatibus restituta cum fundis.

[4] No. 38.

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[1] No. 38 and *cf.* Suet. *Aug.* 47.

[2] Cass. Dio, 54. 23 and 30.

[3] *Ibid.* 55. 10.

[4] *Ibid.* 54. 23.

[5] Suet. *Tib.* 8.

[6] *CIL.* x, 4842; Tac. *Ann.* 2. 47; 4. 13.

[7] Liebenam, *op. cit.* 172 *f.*

[8] Schiller, *Gesch. d. röm. Kaiserzeit*, 1, 567 *f.*

[9] *Hist. Aug. Hadr.* 19. 2.

[10] v. Rohden, *R.E.* 1, 516 *f.*

[11] *E.g.* Liebenam, *op. cit.* 158, n. 1.

[12] *Cf. supra*, p. 144.

We shall have occasion in another connection to see how the cities lost control in large measure of their own funds[3], but it may not be inappropriate here to notice the way in which the imperial government was led to undertake the supervision of municipal finances. In his Verrine orations and in his letters from Cilicia Cicero describes the desperate condition in which the cities of Sicily and Cilicia found themselves in his day in consequence of the taxes and requisitions imposed upon them and the exactions of money lenders[4]. Many of these evils grew less under the empire, but the unwise and extravagant expenditure of money, in the eastern cities especially, frequently got them into serious difficulties. It was this situation which led the central government to interfere in their financial affairs. Perhaps a way was paved for such intervention by the establishment of imperial commissions to superintend the spending of money appropriated from the imperial treasury for the rebuilding of cities destroyed by earthquakes or fire[5]. If the central government was to bring relief and assume a certain measure of control of local finances when the property of a city had been lost in a fire or destroyed by an earthquake, why should it not take some responsibility for the finances of a city which was wasting its funds in elaborate stadia or theatres? To Pliny there seemed to be only one answer to this question for the cities under his jurisdiction, and when he found that the people of Nicaea had almost completed a theatre, which was structurally defective, at a cost of 10,000,000 sesterces, and a gymnasium which was badly built, he at once intervened and turned to Trajan for advice[1]. In like manner, Claudiopolis was constructing a bathhouse on a badly chosen site[2], and Nicomedeia had spent 3,000,000 sesterces for an aqueduct which had to be abandoned[3], and again Pliny asks Trajan what steps he shall take in the matter. Prusa petitions the emperor for permission to build a bathhouse[4], and Amastris to cover a sewer[5]. Even for the free city of Sinope Pliny asks of Trajan the right to construct an aqueduct[6]. He takes cognizance of many other matters connected with the finances of the municipalities. Annual allowances made by Byzantium for the expenses of one legate to Rome and another to the governor of Moesia are cut off[7]. The extravagance attendant on weddings and festivals is limited[8]. The propriety of requiring an initiation fee from men whose names are put on the rolls of the municipal senates is referred to Trajan[9]. To him is referred the claim of Nicaea to the property of citizens who die intestate[10], and the right of the cities of Bithynia and Pontus to be preferred creditors[11]. In one of his letters Pliny submits to Trajan a question that is one of the earliest indications which we have of the coming of the later ruinous policy of holding the decurions of a city personally responsible for its financial obligations[12]. Some of the towns in Pliny's province find it hard to loan their public funds at 12 per cent., and Pliny asks Trajan if he may force the decurions to borrow the money at this rate. The empire was not yet ready for this step, and Trajan did not approve the proposal. The most far-reaching question in the correspondence, connected with the imperial control of municipal finances, concerns the right of the governor to inspect municipal accounts. Pliny examined the accounts of Prusa without hesitation[1], but when he proposed to look into those of Apamea, the people, while expressing a willingness in this particular case to submit to the scrutiny, stated that (rationes coloniae) numquam tamen esse lectas ab ullo proconsulum, habuisse privilegium et vetustissimum morem arbitrio suo rem publicam administrare[2]. Trajan, in his reply, advises Pliny to proceed with the examination, with the understanding that it will not prejudice their existing privileges. We can readily see, however, that this procedure in the case of a Roman colony set a dangerous precedent. We have followed the policy of Pliny in these matters in some detail, because it illustrates the paternal motives which actuated the imperial government in exercising a close oversight over the finances of provincial cities. Under the republic such supervision was impossible, but in the time of Trajan, with a governor well supplied with subordinates, and holding office long enough to be thoroughly familiar with local conditions, and with bureaus in Rome ready to answer promptly all sorts of provincial inquiries, it was possible to supervise carefully the finances of every city of the empire, and it does not surprise us to find the practices which Pliny followed in controlling municipal expenditures given a systematic form by his imperial master through the establishment of the new imperial office of *curator rei publicae*[3].

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[1] *Cf.* an inscription of A.D. 227 (*An. ép.* 1917–8, no. 68): Infatigabile indulgentia domini Severi Alexandri Pii Felicis Aug. auctis viribus et moenibus suis castellan(i) cito Factenses muros extruxerunt curante Licin*i*o Hieroclet*e* procuratore Aug(usti) praeside provinciae a(nno) p(rovinciae) CLXXXVIII; *cf.* also Liebenam, *op. cit.* 144, n. 1 and commentary on no. 157.

[2] Nos. 51, 156 and *supra*, p. 137.

[3] *Cf.* pp. 200 *ff.*

[4] *Cf.* pp. 121 *ff.*

[5] Tac. *Ann.* 2, 47 and *supra*, p. 147.

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[1] Plin. *Epp. ad Trai.* 39. 1, 4. [2] *Ibid.* 39. 5, 6. [3] *Ibid.* 37. [4] *Ibid.* 23. [5] *Ibid.* 98. [6] *Ibid.* 90. [7] *Ibid.* 43. [8] *Ibid.* 116, 117. [9] *Ibid.* 112. [10] *Ibid.* 84. [11] *Ibid.* 108. [12] *Ibid.* 54.

No discussion of the finances of the municipalities would be complete without some reference to the method followed in the adjustment of financial controversies between neighboring cities, but the way in which these and other disputes were settled will be discussed in another connection[4].

[1] *Ibid.* 17. [2] *Ibid.* 47. [3] See pp. 90 *ff.* [4] See pp. 152 *ff.*

## CHAPTER XI

# ARBITRATION AND TREATIES

THE principle of arbitral settlement of international disputes was familiar in the ancient oriental kingdoms almost from the beginning of recorded history, but in the growth of great empires that equality between independent powers which is essential for the proper development of arbitration was destroyed[1]. In Greece the rise of a large number of small independent city-states produced ideal conditions for fostering this system of settling disputes, since war was uncertain in its results, and the loss of power and resources, even in a successful campaign, was not always compensated by gaining the point at issue. For this reason the disputants often preferred to refer their quarrel to the decision of some neutral and impartial judge, or some friendly state might intervene with an offer of mediation or arbitration. Whether the Greeks borrowed this idea from the Orient or discovered it for themselves cannot be determined, but we owe to them the introduction of arbitration into Europe[2]. There are well authenticated examples of arbitral settlements in the seventh century, and as early as the fifth the Greeks had developed the principle so far that treaties were made containing a clause whereby the contracting parties agreed to settle in this way disputes which might arise in the future. Unfortunately the Greek states were no better than modern nations in observing treaty obligations, and this provision was not always kept. A notable instance is the refusal of the Spartans to submit their dispute with Athens to arbitration before the outbreak of the Peloponnesian war.

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[1] The best treatment of the subject of arbitration in Roman history is found in De Ruggiero, *L'arbitrato pubblico presso i Romani*. His classification of the different examples in Roman history has been followed in this chapter. Tod (*International Arbitration amongst the Greeks*) and Raeder (*L'arbitrage international chez les Hellènes*) have recently discussed briefly those cases of arbitration wherein Rome was called upon to decide disputes arising between Greek cities. *Cf.* Boak, *Am. Journal of International Law*, 15 (1921), 375 *ff.*

[2] Westermann, *C.J.* 2 (1906), 198; Tod, *op. cit.* 169 *ff.*

In the third century examples of international arbitration among the Greeks are frequently recorded. Under this head we may include the disputes which arose between members of the great federal leagues that were usually settled by the central government, which also enforced the decision under the necessity of preserving internal peace and concord. In most cases of arbitration in this period we may note a tendency to appeal to some power or state whose prestige was great enough to make the decision respected. Thus the kings of Macedon were frequently requested to act as arbiters. After the conquest of Macedon, when Rome became a factor in eastern politics, the Greek cities frequently referred their disputes to the senate, and, in so doing, introduced the principle of arbitration into Roman political life.

The history of Rome's part in international arbitration is somewhat complicated by the relations existing between Rome and Greece after the issuance of the edict of Flamininus. While the Greek states remained virtually independent, Rome exercised a modified form of protectorate, and did not hesitate to interfere in the settlement of internal or inter-state quarrels. But so long as a city was nominally free and not incorporated in a Roman province, the settlement of its disputes with a neighbor by an appeal to Roman magistrates or to the senate may be considered as a true case of international arbitration. Since all such appeals came from Greek cities, the history of international arbitration in Rome began with her first contact with the East and ended when she became mistress of the Orient. Since the senate controlled the conduct of foreign relations, all these disputes were referred to this body or to her agents who transmitted the appeal to Rome. The only recorded exception is the settlement of the dispute between Cnossus and Gortyna, which was decided by Appius Claudius and his fellow-commissioners[1]. In this case, however, the commission probably had plenipotentiary powers to examine the condition of Greek cities and to settle disputes.

While the senate decided some of the disputes referred to it, certain questions such as the determination of boundaries could not be settled at a distance, and these were delegated to a special commission or to another state. The delegation of powers was made in a *senatus consultum*, and the question to be decided by the arbitrator was often very narrowly defined. Thus in the dispute between Athens and Oropus, Sicyon was asked merely to determine the penalty to be inflicted on Athens[2]. Magnesia on the Maeander was asked by Rome to arbitrate between Hierapytna and Itanus, but in so doing the only point to be determined was which state occupied the disputed territory at a certain date[3]. The dispute between Magnesia and Priene was delegated to Mylasa under the same conditions[4].

In the instructions given by the senate we find that there is often a desire on the part of Rome not so much to render a judicial decision on the point at issue, as to preserve the status which the disputants had held when they came into political relations with Rome. This policy may have been adopted for the purpose of cementing treaty relations, but it is not altogether in accord with the principles of strict justice. Rome cannot justly be accused, however, of using the arbitral awards as a means of extending her power over the eastern cities. She did not use her extraordinary power either in enforcing the decisions which she or her delegates had pronounced, or in guaranteeing the terms of settlement. Athens not only appealed from the decision of Sicyon against her in the quarrel with Oropus, but even evaded the reduced penalty which the senate imposed by making a private settlement with Oropus[1]. In the dispute between Samos and Priene the senate confirmed a previous award made by Rhodes. In 136 the case was again referred to Rome, but no change was made in the decision. Even after both cities had become incorporated in the province of Asia, the quarrel broke out afresh, and this time Mylasa was deputed to review the case[2]. Likewise the dispute over temple-lands at Delphi was reopened at least twice after Greece had become a Roman province[3]. In arbitrating the dispute between the Achaean League and Sparta the Romans exceeded their function in violating the sovereign power of both disputants. Sparta was required to remain a member of the League, but the latter was compelled to resign her judicial authority over Spartan citizens[4].

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[1] Polybius, 33. 15. We may assume that Roman agents settled many other similar disputes in Greece.

[2] Pausanias, 7. 11. 4–8.

[3] *Inschriften von Magnesia*, 105.

[4] *Inschriften von Priene*, 531; *Inschriften von Magnesia*, 93.

Where states were quasi-independent, possessing jurisdiction over their internal affairs, but acknowledging the hegemony of Rome in foreign relations, inter-state disputes could only be adjudicated by a direct appeal to Rome, since the reference of the question to any other state would have been regarded as an offense to the sovereign power. In these cases the arbitration was not always purely voluntary, for if one side appealed to Rome, the other was virtually compelled to present its case unless it chose to let the judgment go by default. This class of arbitration is known as federal, since one or both of the parties to the dispute were bound to Rome by treaties of alliance.

In the earliest recorded case of federal arbitration, if the traditional account in Livy is to be believed, two members of the Latin League quarreled over a piece of land, and when the dispute was referred to Rome, the *comitia tributa* took the matter out of the hands of the senate and voted that the land in question should belong to Rome[1]. There is much about this story which renders it unlikely, but if it is true, we can well understand why arbitration did not become popular amongst Rome's allies in Italy.

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[1] Pausanias, 7. 11. 4–8.

[2] Tod, *op. cit.* nos. 61–65.

[3] *Ibid.* no. 26.

[4] de Ruggiero, *op. cit.* 240 *ff.*

The dispute between Sparta and Messene over the possession of the *ager Dentheliates* forms one of the most interesting cases which come within the scope of federal arbitration. Philip of Macedon in 338 and Antigonus in 221 had acted as arbiters in this long-standing dispute. Then Mummius in 146–5, if we may believe the account in Tacitus, pronounced a decision, but from the wording of the decree of the Milesians, it would appear that he merely recognized the *status quo*. Between 146 and 137 the dispute was again brought before the senate, which referred the question to Miletus, at that time an independent state. The Milesians were instructed to determine only which of the two parties occupied the disputed territory when Mummius was consul or proconsul. The Milesians chose by lot a court of 600, and when the evidence was heard the court voted 584 to 16 in favor of Messene[2]. It may be noted that no attempt was made to determine the legality of the claim of either party, but that Rome was concerned solely in determining the status of the territory when one or other of the two states became politically related to Rome. This solution of the problem was manifestly unjust, and showed undue favor to Rome's allies. So Caesar, in his interview with Ariovistus, states it as an axiom of Rome's foreign policy that her allies should suffer no loss, but rather should be increased in influence, dignity, and honor[3]. In this respect, then, Rome's arbitral judgments were dictated by the desire to extend her influence and to bind her allies to her by shaping the arbitral awards in their favor.

A somewhat similar situation is found in the dispute between Carthage and Masinissa, which seems to have been deliberately prolonged by the senate in order to weaken the power of her former enemy, now, however, formally regarded as an ally. In 193 the senate appointed a commission which made no decision, probably in obedience to secret instructions from the home authorities. Masinissa was thus encouraged in his acts of aggression and occupied other territory which, when Carthage appealed to Rome, was apparently granted to Masinissa. In 160 the injustice of Rome was still more flagrant in her award to the Numidian king, for Carthage was compelled to cede the town of Emporia in addition to the land which he had already occupied and to pay an indemnity of 500 talents. When Masinissa seized further territory some three years later and Carthage appealed to Rome, the Carthaginians refused to entrust their cause to the arbitrators whom Rome sent out, and, apparently, the Numidian was allowed to remain in possession[1]. In Rome's conduct of arbitral relations in these disputes we find one of the darkest chapters in her judicial history. No doubt the bitter prejudice against Carthage and high imperial policy dictated her decisions, but these considerations furnish no excuse for the violation of the principles of justice, and her guilt is the greater in that Carthage was bound to her by a treaty of friendship and alliance. In later federal arbitration Rome recovered her judicial sanity, since her position as a dominant power in the Mediterranean was secure. In the few cases of this class which belong to later times none gives any indication of favoritism on the part of Rome. As a matter of fact, the extension of Roman power in the last century of the republic had brought most of the ancient city-states under the Roman provincial system, and cases of international and federal arbitration could no longer occur.

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[1] de Ruggiero, *op. cit.* 268 *ff.* [2] *Ibid.* 283 *ff.* [3] Caesar, *B.G.* I. 43.

While it is true that many of the cities still retained the nominal title of "free" or "allied" states, there are no records of disputes which arose involving them, and apparently when once they had become incorporated in provinces, their disputes were settled by the central authority on the same basis as the disputes of other states under Roman dominion. This method of settling disputes is called administrative arbitration, and of this class we possess a large number of records, ranging from the beginning of provincial government up to the end of the third century of the Christian era, and found in every part of the empire. Most questions of administrative arbitration concern boundary disputes arising between adjacent municipalities, or between municipalities and state or imperial domains. Some of these quarrels were inherited from pre-Roman times, but others developed under Roman administration in cases where boundaries had not been definitely determined in the settlement of a province, or where the creation of new municipal organizations gave rise to litigation in the delimitation of territorial possessions. Disputes also arose over water rights in connection with rivers, or over roads, or took the form of quarrels like that between Pompeii and Nuceria. In these cases the local authorities were without jurisdiction, and the sovereign power was called upon to settle the dispute. It was impossible for cities in such cases to have recourse to war or to choose some foreign state as arbiter, since either procedure would have been offensive to the sovereign power of Rome. While the *lex Rupilia* allowed Sicilian towns to call upon another city to decide disputes arising between them and their citizens, there is no evidence that similar latitude was allowed in boundary settlements, although Mucius Scaevola invited Sardis and Ephesus to settle their differences by arbitration and to call in any city which they chose as arbiter[1]. Not infrequently a third state was appointed as arbiter in disputes which arose between Greek cities, but more commonly the senate, or emperor, named a special commission or some official to act. In such cases the delegated power was plenipotentiary, and the decision was not subject to review by the central authority.

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[1] de Ruggiero, *op. cit.* 270 *ff.*

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[1] Cicero, *in Verr.* 2. 12. 13; *Inschriften von Pergamum*, 268.

When the local authorities were not able to control internal factions, and the magistrates appealed to the central government, or, as in one case, to the patron of the city, the settlement of the dispute was sometimes arranged by arbitration, which may be classed as administrative. Sulla was delegated by the senate to settle a quarrel among the citizens of Puteoli, and to frame a new constitution for the city[1]. In imperial times the senate appointed two of its members to settle a similar dispute in this city. In Pompeii the patron of the town was accepted by both factions as arbiter apparently without any reference of the quarrel to the senate[2]. Doubtless the numerous commissions and special agents sent out from Rome to the provinces acted as arbiters in settling the disputes of party factions, and in so doing they favored the aristocratic class. Although the local authorities were empowered to settle all questions concerning internal affairs, the sovereign power exercised by the senate or by the emperors gave them authority to interfere in the local affairs of all provincial cities. By virtue of this authority Trajan and his successors appointed the *curatores rei publicae* and *correctores*, by whom local disputes were settled by administrative processes without recourse to arbitration.

A third class of cases of arbitration may be distinguished in the disputes which arose between cities and private individuals, whether alien or resident citizens[3]. As we have already indicated, the *lex Rupilia* allowed Sicilian cities to call upon the services of another city in arbitrating such disputes, and this arrangement was probably allowed in other provinces. But where the local authorities possessed jurisdiction, cases of appeal to arbitration are comparatively rare, nor was the appeal necessarily made to Rome, or to the governor, but could be made to another city in the province or to a private citizen. In most cities, however, the local magistrates did not have jurisdiction over Roman citizens, and in disputes arising between a city and Romans the case must of necessity be referred to the governor, who, however, had the right to appoint arbiters if he so desired.

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[1] Plutarch, *Sulla*, 37.

[2] Cicero, *pro P. Sulla*, 21, 60, 61.

[3] de Ruggiero, *op. cit.* 96 *ff*.

Finally, there is a series of disputes which arose between the cities and the Roman state, or rather its representatives —the publicans[1]. We may also include here the boundary disputes arising over the municipal lands and those of the state or of the emperor. In such cases the state might settle the dispute by regular administrative methods, but in some instances the question was referred to the decision of an arbiter appointed by the senate or by the emperor.

Arbitral procedure was foreign to Roman policy and was introduced only through contact with, and under the influence of, Greek culture. Its continuance in imperial times was apparently determined by a desire on the part of the central government to flatter the vanity of the city-states which had been incorporated in the empire. In the third century the military autocracy was no longer influenced by these motives, and records of arbitral judgments disappear. Henceforth the settlement of all disputes passed to the regular provincial courts or became a matter of ordinary administrative routine.

The special relation which *civitates foederatae* bore to Rome ceased to exist in Italy after the towns received Roman citizenship. In other parts of the empire very few states enjoyed the privilege of *foedus aequum* with Rome. Some of these jealously maintained their rights, as, for example, when the Amiseni appealed to Rome in regard to the law forbidding the organization of clubs in Bithynia[2]. Trajan replied that if the laws of the city permitted such associations, the imperial authorities could not forbid them provided the clubs were not devoted to seditious or illegal gatherings. There is an undertone in Trajan's letter which

[1] de Ruggiero, *op. cit.* 99 *ff.*; nos. 12, 18.

[2] Pliny, *Epp. ad Trai.* 92, 93.

implies that treaties would be respected only if they did not contravene the best interests of Rome. In 210 the Camerinians thanked Septimius Severus for confirming the right of *foedus aequum*, and in Astypalaea the treaty with Rome was maintained as late as the reign of Gordian[1]. The *lex de imperio Vespasiani* placed the power of making treaties in the hands of the emperor, confirming the privilege which Augustus had held. The economic pressure which began to be severe in the second century probably led many cities to surrender their special privileges. Thus we find an imperial *corrector* in Athens under Hadrian[2]. The edict of Caracalla probably swept away other treaties when the cities accepted Roman citizenship, although it is evident that Astypalaea preserved her status as a *civitas foederata* for some time longer.

In the eastern empire coins were frequently struck celebrating the ὁμόνοια of various states[3]. It is impossible to determine exactly what is meant by this term under Roman rule, but it seems to indicate that the Romans permitted these states to conclude some form of treaty which flattered their vanity and infringed in no way on Roman sovereignty. With the development of the bureaucracy and the military autocracy the fiction of sovereignty which the Romans had permitted as a matter of policy soon disappeared.

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[1] *CIL.* xi, 5631.

[2] *CIL.* viii, 7059.

[3] Head, *Historia Nummorum, s.v.* ὁμόνοια.

## CHAPTER XII

# PROVINCIAL ASSEMBLIES

IN the organization of a conquered province the senate treated with each city and each tribe as an individual unit. Under the republic the governor, who was sent out with the *imperium*, had no tribune to interpose a veto on his acts, and the provincial subjects had no means to check illegal action or extortion except through indirect pressure applied by their patron in Rome. After the governor laid down his command, he might be prosecuted before a jury made up of members of the senate, but it was difficult and practically impossible to secure a conviction before a court of his peers. Later, when the juries were composed of members of the equestrian order and party feeling had become intensified, convictions were easier to obtain, although the court was not so much prompted by a desire to secure justice for the provincials as it was concerned in furthering the interests of the *equites*. In appearing before the court the provincials had no other bond than their common interests, and each city acted singly, or their delegates represented municipalities which had united to present their complaints before the senate. Since it was the policy of the Romans to discourage combinations of the different communities in each province, it is very unlikely that the *lex provinciae* provided any machinery for common action, but in the informal meeting of representatives of two or more towns for the discussion of matters of mutual interest we may discern the beginnings of a provincial assembly[1].

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[1] Marquardt, *de Romanarum provinciarum conciliis et sacerdotibus*; Guiraud, *Les assemblées prov.*; Carette, *Les assemblées prov. de la Gaule rom.*; Fougères, *de communi Lyciorum*; Monceaux, *de communi provinciae Asiae*; *Dict. Dar. s.v.* κοινόν; Kornemann, *R.E. s.v. concilium*, κοινόν;

In the East the Romans found a large number of κοινά already existing, of which some were religious organizations, and others political federations. In Greece Flamininus encouraged those which might serve to check the power of Macedon. After the sack of Corinth by Mummius political unions were suppressed in the fear that they might form centres for the revival of a national consciousness[1]. Later the ban was removed and the assemblies were permitted to meet for religious purposes. Similar organizations existed in Asia, and shortly after the province was established we find games instituted by the cities in honor of the governor, Mucius Scaevola, who held the office about 98 B.C.[2] Antony addressed a letter to the κοινόν of Asia granting certain privileges to the guilds taking part in the provincial games[3]. This action must have been taken in response to a request from the assembly and, although no political issue was involved, it is apparent that the delegates from the cities of Asia were developing an organization in which questions of common interest might come up for discussion.

In 29 B.C. the cities of Asia in their provincial organization requested that they be allowed to establish the cult of Roma and Augustus at Pergamum[4]. In granting their request the emperor established a precedent which was soon followed by the other provinces. In some cases we find two distinct provincial assemblies, as in Bithynia-Pontus, Galatia, Lycia-Pamphylia, and Syria. In Achaea the local κοινά of Central Greece united their assemblies in a joint federation which seems to have represented the province[5]. Thessaly preserved the independence of its

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Krascheninnikoff, *Philol.* 53 (1894), 147 *ff.*; Ramsay, *Journ. Rom. St.* 12 (1922), 154 *ff.*

[1] Pausanias, 7. 16. 9.

[2] Ditt. *Or. Gr.* 438; Ditt. *Syll.*³ 760.

[3] Brandis thinks that Antony established the provincial *concilium* in Asia about 33–32 (*Hermes*, 32 (1897), 512 *ff.*).

[4] Tac. *Ann.* 4. 37; Cass. Dio, 51. 20.

[5] We find this prescript: τὸ κοινὸν τῶν Ἀχαιῶν καὶ Βοιωτῶν καὶ Λοκρῶν καὶ Εὐβοέων καὶ Φωκέων, *IG.* VII, 2711.

assembly, since this district was separated for administrative purposes from the rest of Greece and placed under the control of the governor of Macedon in the imperial period. While the meeting-place of the provincial *κοινόν* was usually fixed in some convenient centre, the leading cities of Asia, Lycia, and Lycaonia shared the honor in rotation.

In the West the provincial assemblies were slower in developing than in the East. Municipal institutions replaced the tribal units slowly and the majority of the provinces lacked the political traditions of the Orient which might have given them a feeling of unity. Outside Gaul there was no common cult such as had united many Greek cities in their *κοινά*. Moreover, the religious mentality of the western peoples differed widely from that of the Orient, and was less facile in adopting new cults, especially in accepting a cult which deified a reigning emperor. We have already seen that even under the republic the western provinces had informal organizations in which the cities could unite in conducting prosecutions of officials and in sending embassies to Rome. An edict of Augustus forbade the provincials to take any action in praising a governor until sixty days after he left his province[1], but it is not necessary to infer that provincial assemblies existed generally at this period (2 B.C.). The first formal organization of such an assembly may be found in Tres Galliae when Drusus called representatives of the various *civitates* to Lugudunum in 12 B.C. The worship of the imperial cult was founded at that time[2]. This gathering formed the nucleus of a provincial assembly which met annually thereafter at the same place. In A.D. 15 the cities of Hispania Tarraconensis requested the privilege of founding a temple of Augustus in Tarraco, and Tacitus observes that the granting of this petition formed a precedent for other provinces[3]. This would imply that the initiative was taken by the provincial cities and not by the central government, although the theory has been advanced that the assemblies were founded by the emperors in some cases in order to hasten the Romanization of the province[1]. We might infer from the remark of Tacitus that the example of Spain was soon followed by other provinces, but there is no evidence which enables us to date the foundation of the other assemblies, nor can we determine whether they were created in all the provinces of the empire. In the fourth century these organizations were made obligatory by imperial mandate.

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[1] Cass. Dio, 56. 25.

[2] Kornemann, *op. cit.* 809 *f.*

[3] Tac. *Ann.* 1. 78.

Primarily, the provincial assemblies were charged with the annual services of the imperial cult, the care of the temple, and the celebration of games in honor of the deified emperor. However, when the delegates met to transact their official business, they discussed also matters of general interest, and the administration of the governor and his subordinates came under review for praise or blame. For the first time, therefore, the provincial cities had an official organization in which they could voice their opinion collectively in regard to the administration of their governor, and since his future career in public service might be largely determined by the action of the assembly, it was a powerful influence in securing better government in the province. In the case of dishonest and corrupt officials, the assembly under the empire took upon itself the duty of prosecuting the offender at Rome before the senate or the praetorian prefect. The earlier emperors doubtless encouraged this phase of the assembly's activity in order to keep a closer check on governors, especially in senatorial provinces. At any rate a large number of accusations were lodged in Rome against provincial officials during the first century[2]. Later, when the imperial bureaucracy had developed more fully and agents of the emperor were sent out to the provinces and to individual municipalities, the number of prosecutions steadily diminished, and the influence of the assemblies was apparently weakened.

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[1] Krascheninnikoff, *op. cit.* 168 *ff.*

[2] Guiraud, *op. cit.* 172 *ff.*

The relation of the provincial assemblies to the municipalities is obscure. Each municipality, or each tribal unit, sent a certain number of delegates to the assembly, and in Achaea it is possible that the smaller *κοινά* were represented in the provincial organization, either by delegates or, though less probably, in a body. The chief priest was elected annually by the assembly from candidates nominated by the municipalities. He presided over the meetings of the assembly, and defrayed the expenses of the sacrifices and games as a form of liturgy[1]. In the ancient *κοινόν* of Lycia the delegates were appointed according to a system of proportionate representation, the cities being graded in three classes, of which the first sent three delegates, the second two, and the third one each[2]. In the age of the Antonines the cities of Asia, and presumably those of the other provinces, were graded in a similar way for the distribution of the gift of immunity to teachers and physicians[3]. It is therefore possible that the Lycian system of representation was universally adopted in imperial times, but there is no evidence on the subject beyond the fact that some cities sent more than one delegate, and that there were at least 150 members of the *κοινόν* of Asia[4]. In Bithynia the members were sometimes appointed for life, although this distinction may have been purely honorary, as was true in the case of the life-appointment of the provincial priest, and of other liturgies which had been discharged with special merit[5].

In the proceedings of the assembly there is no evidence that mandatory instructions were given to its delegates by the civic government, but they were undoubtedly aware of public opinion and were guided accordingly. In the inscription from Thorigny it is recorded that the delegates gave up their attempt to attack Paulinus on the protest of Sollemnis[1]. Had they received a mandate from their respective cities, they would hardly have desisted on the protest of a single delegate from one state. Timarchus of Crete is said to have boasted that the power of granting an honorary decree to the retiring governor rested in his hands[2]. In later times the governor undoubtedly found means to control the election of deputies through the power which he exercised in municipal affairs, and this fact may account in part for the decreasing importance of the assembly in the second and third centuries in indicting provincial governors.

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[1] Guiraud, *op. cit.* 82 *ff.* [2] Strabo, 14. 3, p. 664. [3] *Dig.* 27. 1. 6.

[4] Buckler and Robinson, *AJA.* 18 (1914), 356. In Aristides (p. 767 Dind.) 407 votes are recorded as cast in a meeting of the assembly.

[5] Cagnat, *IGRR.* 3, 7. Brandis, however, believes that the title does not refer to membership in the provincial assembly.

Since the assemblies met but once a year, administrative matters of local interest were probably referred directly to the governor, or a delegation was sent to the emperor by individual cities who were eager to bring themselves to imperial notice. Occasionally, however, joint action was taken. Thus Asia honored T. Claudius Amphimachus for an embassy by which he undertook to secure a remission of the inheritance tax (εἰκοστή)[3]. When Domitian forbade the cultivation of the vine in Asia, the provincial assembly sent Scopelianus to Rome, and he succeeded in having the decree revoked[4]. The same assembly asked Caracalla to fix Ephesus as the port where the new governor should land in coming to his province[5]. While an advocate (ἔκδικος) is mentioned in the case of the provincial assembly in Asia only[6], it is probable that this official was attached to other assemblies as well, and, although his duties are nowhere defined, we may assume that he bore the same relation to the assembly as the municipal advocate to the city, and that one of his most important duties was in connection with the prosecution of provincial officials.

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[1] No. 140.

[2] Tac. *Ann.* 15. 20.

[3] Cagnat, *IGRR.* 4, 1236; Keil and Premerstein, *Denkschriften der Wiener Akademie*, 54 (1911), no. 53.

[4] Philostratus, *Vit. Soph.* 1. 21. 12.

[5] *Dig.* 1. 16. 4, 5.

[6] *AJA.* 18 (1914), 350.

The only example of a provincial decree which was mandatory in the cities is found in Asia, where the assembly, at the request of the governor, adopted the Julian calendar throughout the province[1]. This business was apparently entrusted to the assembly because of the importance of the matter in connection with religious observances—especially with those relating to the imperial cult. Titus wrote to the Achaeans, probably to the assembly, about the exposure of infants, although Domitian and Trajan communicated with the provincial governors on this subject[2]. Antoninus wrote to the province of Asia forbidding the unrestricted grant of immunity from liturgies by the municipalities, and regulating the number of such grants which could be made in each city[3]. It is probable that this letter was addressed to the provincial assembly. It would seem that the assemblies had no administrative power over the cities of the province except in matters pertaining to the imperial cult, the games in honor of the emperor, and in cases where they received a mandate from the governor or emperor. The governor had the right of taking part in the regular proceedings of the assembly, and even in the case of honorary decrees could exercise the right of veto. The assembly could, however, appeal to Rome over the governor's veto, and in one case the emperor reversed the action of the governor, whereupon the decree became law[4].

The ancient *κοινόν* of Thessaly had the privilege of granting citizenship and the right of owning property in any city of the federation[5]. Under Roman rule similar privileges were apparently enjoyed by a few provincial assemblies. In Lycia officers of the assembly were sometimes recorded as citizens of one or more towns, and the additional qualification is added πολιτευόμενος δὲ καὶ ἐν ταῖς κατὰ Λυκίαν πόλεσι πάσαις. This phrase seems to imply that the official named exercised the rights of citizenship in all Lycian cities[1]. The citizenship in specified municipalities is contrasted with that in all the cities, and it may be possible that a form of honorary citizenship was conferred by the assembly. The κοινόν of Asia conferred the title of Ἀσιανός on Isidorus, the son of Menogenes, who was provincial advocate[2]. It is probable that this title implies a kind of honorary provincial citizenship. The tragic actor C. Julius Julianus was a citizen of Smyrna and enjoyed the rights of citizenship in all Hellas, Macedonia, and Thessaly (πολιτευθεὶς δὲ ἐν ὅλῃ τῇ Ἑλλάδι καὶ Μακεδονίᾳ καὶ Θεσσαλίᾳ). This claim may be an idle boast, but more probably his services at provincial festivals won him the grant of honorary citizenship[3].

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[1] No. 34; Ditt. *Or. Gr.* 458; Keil and Premerstein, *op. cit.* no. 166.

[2] Pliny, *Ep. ad Trai.* 65.

[3] *Dig.* 27. 1. 6.

[4] Cagnat, *IGRR.* 3, 739, chaps. 24, 26, 28. Whether the governor called together the provincial assembly may be doubted, *cf.* Ditt. *Or. Gr.* 494, n.

[5] *IG.* IX, 2, 507, 508.

The various municipalities which were members of the assembly contributed to the expenses of the organization, such as those required for the games, the religious ceremonies, buildings, repairs, maintenance of staff, embassies. They also met the charges in connection with the prosecution of officials and the erection of statues[4]. There is a record of an endowment fund for the games in Asia, but the games were usually regarded as a liturgy pertaining to the priesthood. An African inscription dated A.D. 366 shows that this liturgy had become so burdensome to the candidates that the governor intervened by reducing the scale of extravagance which had hitherto prevailed[5]. Not infrequently the cost of buildings or of statues was defrayed by the emperor; embassies were undertaken by private citizens at their own expense; and statues were often erected by the individual on whom the honor had been conferred.

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[1] Cagnat, *IGRR.* 3, 527, 539, 603, 628, 704, 739, chap. 5. In some cases, however, the phrase seems to imply the discharge of municipal liturgies, *cf.* Cagnat, *op. cit.* 563, 584, 680.

[2] *AJA.* 18 (1914), 321 *ff.*

[3] *IG.* v, 1, 662.

[4] Guiraud, *op. cit.* 128 *ff.*

[5] No. 110; *cf.* Dessau, 1256.

If we except the "Altar" series of Lugudunum issued by the authority of the emperor, western assemblies possessed no right to coin money[1]. In the East silver coins were issued by towns and provinces, usually with imperial sanction and control. In Crete the provincial issue replaced that of the individual towns[2]. Bronze or token money seems to have been issued by any organized city-community that chose to exercise the right, and the provincial κοινά not infrequently issued communal bronze coinage[3]. There is no evidence that the provincial assembly exercised any control over the coinage of the cities. Since the imperial government probably determined the rate of exchange between the various currencies, it is probable that the revenue derived from the mint was slight, if any.

Officials of the provincial assemblies sometimes held other positions. In Gaul the chief priest was appointed to some duty in connection with the census, and another official was patron of a guild of boatmen, but it would be unwise to infer from these examples that the assembly exercised any control over taxation or trade[4]. Opramoas, archiphylax of Lycia, made arrangements for securing order (εἰρήνη) and supplying provisions (εὐθηνία) at an annual meeting of the assembly[5]. He also advanced money as a loan to those provincial cities which had been unable to make up their annual quota of imperial tribute. Rostowzew thought that the assembly, through its officials, controlled the municipal irenarchs, *sitonae*, and *decaproti*, but this interpretation of the activities of Opramoas is hardly justified[1]. There must have been some coöperation between local and provincial officials at every meeting of the assembly, but it is unlikely that the local government surrendered its autonomy in any respect. The loan made by Opramoas to the cities was a political investment against the time when he should be a candidate for higher office in the assembly. Other Lycian inscriptions show that provincial officials sometimes contributed to the taxes, erection of public buildings, or cost of games[2]. These payments were not a regular liturgy attached to their post in the assembly, but were undoubtedly voluntary obligations undertaken from the same motive which influenced Opramoas. It is also recorded that the chief priest of the Macedonian assembly paid the head tax for the province and provided grain at reduced prices during a famine which occurred in his year of office[3]. The assumption of these voluntary obligations was a dangerous precedent, which might easily have developed into a regular liturgy attached to officials in the provincial assemblies, especially if the pressure for the payment of imperial taxes had become severe at the time the gifts were made.

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[1] *Coins of the Roman Empire in the British Museum*, 1, xvii *ff.*

[2] *Ibid.* 1, xxv; *R.E. s.v.* κοινόν.

[3] *Ibid.* 1, xxvii.

[4] Kornemann, *op. cit.* 815 *ff.*

[5] Cagnat, *IGRR.* 3, 739, chap. 5.

Apart from the prosecution of government officials, the provincial assemblies seldom, if ever, took the initiative in political matters. One doubtful instance may be mentioned here. In A.D. 70 the Treveri sided with Sabinus in his revolution. The Remi summoned a provincial *concilium* which asked the Treveri to lay down their arms[4]. The appeal was not heeded and the assembly—whether regularly constituted or not, it is difficult to determine—had no power to enforce its request.

When the city of Sidyma established a *gerusia*, the governor of the province was notified of the fact by the Lyciarch. The latter, however, was a citizen of Sidyma and it is probable that he acted in his private capacity as a resident of the city, rather than as an official of the provincial assembly[1].

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[1] Rostowzew, *Gesch. d. Staatspacht*, 418 *ff*.

[2] Cagnat, *IGRR*. 3, 704; 739, p. 298.

[3] Ἀρχ. Δελτ. 1916, 148.

[4] Tac. *Hist*. 4. 67, 69 *ff*.

The assemblies frequently appealed to Rome for decisions on points of law and procedure, as we may infer from the frequent communications of the emperors to the provincials recorded in the Digest and Codes[2]. Only in Lycia, however, do we find any evidence of a provincial court under the control of the assembly[3]. The records of the *κοινόν* of this province refer to specially summoned courts which were apparently under the control of the assembly. Unfortunately we have no other information which would help us to determine the relation of these courts to those of the Romans or of the municipalities. It is probable that they were constituted by the *κοινόν* to settle disputes between municipalities which preferred the native to the Roman law, or they may have been called together to decide violations of the law in connection with the annual games and ceremonies of the assembly. Opramoas, as archiphylax of Lycia, was entrusted with judicial power by the governor, although it is doubtful whether he received his commission as an official of the assembly or as a citizen of Rhodiapolis, and we cannot determine whether he had any connection with the special court of the assembly[4]. One of the officials of the Lycian *κοινόν* was called the recorder (*νομογραφεύς*), and the title implies that laws were enacted by the assembly[5]. The *κοινόν* of Thessaly was asked by the governor to act as arbiter in a boundary dispute between Cierium and Metropolis[6]. The decision was rendered by a secret vote—probably because of the necessity of preserving harmony within the assembly. It would be interesting to know whether the cities concerned took part as advocates as well as judges.

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[1] No. 114. Note that the ratification of this act by the provincial governor seems to be required.

[2] Kornemann, *op. cit.* 820 *f.*

[3] Cagnat, *IGRR.* 3, 563, 680, 736, 739, chap. 12. These may refer to settlements of disputes between members of the *concilium*; *cf.* no. 46.

[4] Cagnat, *IGRR.* 3, 739, chap. 12.

[5] Cagnat, *IGRR.* 3, 680.

[6] No. 46.

The growth of Christianity and the abolition of the imperial cult turned the provincial assemblies into purely secular organizations in the fourth century. Their prestige had already been lowered by the redistribution of the provinces of Diocletian, and the creation of diocesan assemblies must have affected the smaller provincial organizations materially[1]. In the late empire our chief evidence for the history of the assemblies comes from the Theodosian Code. The rescripts which this Code contains, addressed directly to *concilia*, deal with points of law, the right of appeal, and the immunity of provincial priests and civic magistrates from certain liturgies. Other rescripts addressed to provincials are usually interpreted as directed to the assemblies[2]. If this is the case, the *concilia* discussed taxation, the regulation of *curiales*, the public post, extortion by imperial officials, and similar matters. In all these cases the assembly had no powers beyond that of bringing the questions to the notice of the emperor in appeals or complaints against the injustice and corruption of imperial agents in the province. Various rescripts addressed by the emperor to the praetorian prefect safeguard the right of assembly in ordinary and special meetings, as well as the freedom of discussion and appeal[3]. In all of these there is an implication that these privileges were often disregarded, and that the provincial assembly, where it existed, was brought under the control of governors to serve their personal interests. Ammianus tells us that Iphicles brought to the praetorian prefect the honorary decree conferred upon the governor by the Epirotes. On seeing the emperor afterwards and being questioned as to the sincerity of this expression of praise, Iphicles replied that his fellow-citizens passed the decree with groans and in spite of themselves[1]. Some of the emperors made an honest attempt to re-establish the councils on their former independent basis as a means of checking the corruption of provincial officials, but the forces of venality and extortion combined with bureaucracy to nullify their efforts. When the Justinian Code was compiled, the assemblies had ceased to exist as a political force, and their organization survived only in the institutions of the Christian church.

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[1] Guiraud, *op. cit.* 228 *ff.*

[2] Kornemann, *op. cit.* 825 *ff.*

[3] *Cod. Th.* 12. 12. 1 (355), 12 (392).

It has been said that the provincial assemblies contained the germ of representative government. It is true that they were representative, and elected organizations, but they never acquired any legislative, administrative, or judicial power, save in the rare cases when they acted on the direct authority of the emperor or governor in promulgating their edicts or publishing their decisions. The assemblies commanded no armies, and had control of no revenues beyond the contributions made by the municipalities for minor expenses and the funds from minor endowments. The money expended in the imperial worship and games was provided by the generosity of the officials appointed to the several liturgies. The primary function of the assemblies was religious, and through the grandeur of their display they undoubtedly acquired considerable prestige. In their secondary capacity as a board of review of the governor's policies, they were, we believe, encouraged by the emperors who desired to keep a close check on provincial administration, especially in the senatorial provinces. Most of the accusations lodged against corrupt officials came from provinces governed by the senate, and it must have been especially galling for this body to try its own agents. When the provinces all came under imperial control, the activities of the assemblies ceased. At least the records of impeachments disappear. In the late empire the imperial government sought to revive this function of the assemblies, but we have already seen that the attempt failed.

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[1] Ammianus, 30. 5. 8.

The assemblies were seriously handicapped by meeting, usually, but once a year, and with a membership which was constantly changing, no continuous political traditions could be established. The appointment of the *curator* as an imperial agent, and the closer supervision of municipal affairs by the governors were important elements in checking the development of the provincial organizations. Moreover, the ingrained individualism of ancient states persisted long after they became municipalities of the empire and prevented concerted action for a common cause. Most of these cities, through their inordinate vanity, preferred to bring their difficulties directly to Rome by means of expensive embassies which might commend them to imperial notice. As a result of this practice, bureaus were created to deal with all phases of municipal administration, and in the development of imperial bureaucracy we have perhaps the most potent factor in preventing the political growth of the *concilia*, for legislative, administrative, and judicial powers were gradually concentrated in the hands of the palace officials. For these reasons we believe that it is not altogether accidental that scarcely any records of the assemblies are preserved in the third century, and while the emperors sought to revive the assemblies in the fourth century in order to correct abuses in provincial government, they were powerless against the forces of the corrupt bureaucracy.

Although this sketch of the provincial assemblies in their relation to municipal institutions shows that the assemblies were relatively unimportant politically, we must not disregard them as wholly negligible. It is possible that the Councils of the early Church based their organization on that of the provincial assemblies, for the bishops were virtually the delegates of their municipal dioceses, and although the Councils were not always provincial in scope, the representative principle may well have been borrowed from this pagan source. The modern parliament also resembles the provincial assembly in form, but it would be unsafe to trace its development in a direct line through the medium of the Church Councils, although the latter may have transmitted the representative idea to the modern world. But the provincial assemblies served a more immediate purpose. They bound the whole empire together in a common cult, and, in the universal worship of Rome and the emperors, the subject states acknowledged the temporal and spiritual sovereignty of Rome. One may question whether the annual provincial rites, though celebrated with great pomp and splendor, were really as important, politically, as the local municipal cults, for only a small proportion of the population could attend the annual ceremonies. But the assemblies served their most useful purpose in safeguarding the interests of the municipalities against the excesses of imperial officials, and, in the common bond of mutual protection, they contributed in no slight measure to the breaking up of the old individualistic spirit, especially in the Greek states, and, by uniting all the municipalities in a province in a common interest, they gave birth to the spirit of nationalism; and though the importance of the assemblies had greatly diminished before the empire disintegrated, and though the separatist movement did not always follow the lines of the provincial organization, nevertheless the development of nationalism may be traced in no small measure to the influence of the provincial assemblies.

## CHAPTER XIII

# THE DEVELOPMENT OF MUNICIPAL POLICY

UNTIL the middle of the fourth century Rome incorporated the peoples of conquered territory in her own state or permitted them to unite with the various members of the Latin League[1]. The ancient conception of the city-state did not allow an unlimited extension of this policy, and the principle of founding Latin colonies was already formulated in 384 B.C. At the close of the war with the Latins in 338 B.C. Rome was for the first time faced with the problem of imperialism. In dealing with her former allies she was fortunately guided by the statesmanship of wise and generous leaders, who repudiated the oriental idea that the sovereign state was entitled to be supported at the expense of the subject peoples. Some of the Latin states, hereafter to be known as *municipia*, were given full Roman citizenship, retaining their own territories and apparently also their own local governments. Others, the *civitates sine suffragio*, were not admitted to full citizenship, but enjoyed the privileges conferred thereby, except the right to vote or to hold office in Rome. These states, also, were left with complete jurisdiction over their local institutions. At the seaport of Antium a Roman colony was founded to which three hundred Roman citizens were assigned. The relation of the colonists to the native population is obscure, but ultimately the two groups were united politically and all enjoyed the privileges of Roman citizenship. Other Latin cities retained their former status and government, but as allied states (*civitates foederatae*) their treaties with

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[1] Marquardt, *St. Verw.* I, 21 *ff.*

Rome either tacitly or explicitly recognized her supremacy[1]. The Latin colonies, whether founded before or after 338, were bound to Rome in the same relationship which they had formerly had with the Latin League. In all cases Rome controlled their foreign relations, and in the event of war military contingents had to be furnished by every member of the federation to defend the common cause. By this system of graduated relationship and by binding the various states of Latium to herself individually, Rome was able to maintain her supremacy in the federation without difficulty and, as a result of her fair treatment, the various members remained uniformly loyal, and many non-Latin cities voluntarily sought treaties of alliance with the state whose power was so rapidly expanding on the banks of the Tiber.

The treatment of her Latin allies presents in miniature Rome's policy towards the Italian cities and tribes in extending her dominion over the peninsula. Roman and Latin colonies were planted throughout Italy. By friendly negotiations or by war Rome brought every tribe and state from the Apennines to the Sicilian Straits within the sphere of her influence, and by the beginning of the first Punic war Italy formed a federation, under the hegemony of Rome, which was composed of Roman and Latin colonies, *municipia*, *civitates sine suffragio*, and *civitates foederatae*. We hear also of organizations, such as *praefecturae*, *fora*, and *conciliabula*, whose status was beneath that of the more fully developed civic communities. For the most part people living under the tribal form of government were encouraged to settle in municipalities, since the Roman senate preferred to deal with a more stable form of government than was usually found amongst the primitive mountain tribes of Italy. The policy of differentiating the status of the various members of the federation was probably devised as a means of rewarding or punishing those communities which had entered the federation willingly or by compulsion, but it also served to prevent disloyal combinations amongst the various states against the supremacy of Rome.

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[1] Reid, *Municipalities of the Roman Empire*, 51 *ff.*; Frank, *Roman Imperialism*, 33 *ff.*

Rome continued her policy of liberalism towards the members of her Italian federation until the close of the third century. The right of Roman citizenship was generously granted to the more favored communities. Common service in the army spread the knowledge of the Roman language and institutions over Italy, and the colonial foundations helped the prefects and praetors in introducing the principles of Roman law throughout the peninsula.

The second Punic war marks a turning-point in the policy of Rome towards the federation. This was due in part to the disintegration of political ideals as a result of the exhausting struggle, and partly to the influence of imperialistic principles acquired from her experiences in provincial government. Members of the federation who had joined Hannibal were punished with the utmost severity. In the century following the close of the war Rome began to regard the federated states as subjects. Roman citizenship was seldom granted to the Latin or Italian cities, and the Latins were no longer invited to share in the colonial foundations of Rome. In many ways the rights of the allies were violated. Fields which had been laid waste or abandoned during the war with Hannibal were apparently regarded as *ager publicus* of Rome, and the allies were deprived of their jurisdiction over them. In 193 the courts were authorized to apply only Roman law to cases of usury[1]. In the Bacchanalian conspiracy (186 B.C.) the senate assumed criminal jurisdiction over Romans, Latins, and allies, condemning all classes with fine impartiality[2]. Other infringements of local rights by Roman magistrates were cited by Gracchus in pleading the cause of the Italians. On the other hand,

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[1] Livy, 35. 7.

[2] Livy, 39. 14 *ff*. *Cf*. Bruns, 36.

Roman law was being adopted more and more throughout Italy, and many cities had the privilege of incorporating in their statutes the laws of the Roman senate or assemblies. Rome does not appear to have exerted any influence on the constitutional forms of the allied states, but allowed them to preserve their traditional institutions unchanged. It is possible that Roman commissioners or officials devised charters for some of the cities, but in most cases the changes were made at the request of the municipality itself and were not imposed by Rome. A case in point is the charter devised for Puteoli by Sulla. When colonies were founded, a commission was appointed to draw up their laws. These charters were not necessarily uniform, and doubtless varied in different localities and in different periods, but, in general, the commissioners must have followed the models framed by their predecessors.

The Social war brought the gift of Roman citizenship to all Italians, but it is probable that no immediate changes were made in the forms of municipal government, since the troubled times which followed were not suitable for the settlement of constitutional problems. During the revolutionary period the Italian cities suffered from the tyrannical acts of both senatorial and popular factions. Sulla and his successors freely confiscated the territory of cities unfriendly to their cause, and colonies of veterans were often settled on these lands, where they enjoyed a quasi-municipal organization of their own, independent of the local government. Such a situation was intolerable, and could only be remedied by the fusion of the two classes of citizens. In the cities where the two groups combined, some changes would have to be made in constitutional forms. Probably the *lex Iulia municipalis* was devised to bring some uniformity out of the chaos which had developed in Italy when Italian towns were transformed into Roman municipalities, and in the confusion incident to the civil wars. The Julian law marks the first attempt at uniformity in civic government. The law, however, was limited in scope, and affected only certain details of administration, such as the election and qualifications of officials and decurions and the administration of law. In other respects the municipalities preserved their traditional forms and customs, although it is probable that the tendency to ape Roman institutions had long been active[1], and that, in the course of time, the cities conformed more and more to a uniform pattern.

Rome acquired her first province at the close of the first Punic war, and in Sicily she came into contact with the oriental conception of imperialism, according to which the conquered races paid tribute to the conqueror. Three cities in Sicily were admitted as allies of Rome and five were given the status of *civitates liberae*. The latter were regarded as independent communities, but their right to conduct negotiations with other states was circumscribed, and in actual practice they probably differed but little from the federated states of Italy. The territory of certain cities which had shown bitter hostility to Rome was confiscated and became *ager publicus* of Rome. These cities were called *civitates censoriae*, because the leasing of their land was under the control of the Roman censor. The remainder of Sicily was divided among the *civitates stipendiariae*, which paid an annual tithe of their produce to the sovereign state[2]. In organizing the province a commission was sent out to draw up a *lex provinciae*, which determined the rights and privileges of the various cities in the district. It is uncertain how far the constitutions of the various cities were modified by this law, but it is probable that traditional forms were preserved as far as possible, while the control of the municipal government was placed in the hands of an oligarchy friendly to the conquerors. No attempt was made to provide uniform charters for the provincial cities, although the system of collecting the tribute and of administering the law may have tended to standardize the legal and financial administration in the towns within the bounds of each province.

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[1] For the *municipia fundana* which had the right in republican times to copy Roman statutes, *cf.* Elmore, *Trans. Am. Phil. Assoc.* 47 (1916), 35 *ff.*

[2] *Cf.* pp. 47 *ff.* On the various theories concerning the *lex Iulia*, *cf.* no. 24.

In adding new provinces to their dominion the Romans were guided in some measure by the results of their experience in dealing with older acquisitions. In general the principle of exacting tribute was followed. We also find that some cities were given more liberal privileges than others, probably with the idea of lessening the danger of disloyal combinations in alien lands. In Africa and in the eastern provinces which were thoroughly Hellenized, the Romans found the municipal system generally established, and no changes were made in it, except to modify the government of the more democratic cities by strengthening the oligarchy. It is probable that most of the Greek cities had already become timocratic under the rule of the Macedonian and Seleucid princes[1]. Wherever the civic commonwealths had not fully developed, the Romans set themselves the task of organizing them as soon as possible. New cities were founded or the territory of older ones was extended. In some cases the *territorium* assigned to cities was very extensive, and as the villages developed in importance, new cities were created within the territory of the old. No uniform laws were prescribed for the new foundations so far as we can discover, although Bithynian cities were given senates formed on western models, and the charters of other cities, established by later governors, probably followed similar lines. Great flexibility was permitted, since the political development of the inhabitants and other local conditions were undoubtedly taken into account.

While little effort was made to secure uniformity in municipal government, the legislation of the Gracchi took an important, if ill-advised, step in this direction when provision was made that the contracts for the collection of the tribute from Asia should be let in the city of Rome. By this law tax-gathering became the special prerogative of the *equites*. They and their agents were absolutely unscrupulous in carrying out their contracts. In raising the quota from each city they held the magistrates and senators responsible for all deficiencies, as well as for loans contracted by the city to meet the obligations to the state. This is well illustrated by the story of the agents of Brutus, who enforced the payment of a loan by shutting up the senators of Cypriote Salamis in the town hall until some of them perished from starvation[1]. The theory of collective liability was probably borrowed from the practice of the old Hellenistic bureaucracy, or it may have developed from the Sicilian custom, where the municipalities often availed themselves of the privilege of farming their own quota of taxes in order to save collectors' profits. The Gracchan legislation applied, in the first instance, to Asia, but the system was soon extended to other provinces. Under these conditions cities suffering from the burden of taxation would insensibly abandon their more democratic institutions by choosing their official class from the wealthier members of the community—a tendency which was, no doubt, fostered by the Romans, whose chief interest was the collection of revenue.

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[1] *Cf.* no. 9; Colin, *Rome et la Grèce*, 651 *ff.*

In the administration of law the rights of individual cities were usually defined by the *lex provinciae*. The cities were usually permitted to use their own laws, at all events in certain cases, and the republican senate brought no pressure upon them to adopt the laws of Rome. The governor, however, had large judicial powers, and in issuing his edict he not only followed the provisions of the *lex provinciae*, but also copied extensively from the praetor's edict[2]. In his circuit, therefore, the principles of Roman law were made familiar to the various cities, and just as their law influenced the development of Roman

[1] Cicero, *ad Att.* 6. 2.

[2] Cicero, *ad fam.* 3. 8. 4; *ad Att.* 6. 1. 15.

jurisprudence, so it is probable that many cities, in turn, adopted the better features of Roman law[1].

The colonial policy of the Romans was at first dictated by military requirements, although it served the secondary purpose of providing lands for the indigent populace[2]. Colonial foundations of the Latin type ceased after 181 B.C., and Rome thereafter shared none of the privileges of the new settlements with her Latin allies. In 172 B.C., however, Carteia in Spain was given Latin rights by the *comitia*. An important precedent was thus established by which the provincial lands could be recognized as Italian soil. The foundation of transmarine colonies was not popular at Rome, and Gracchus met with bitter opposition when he attempted to carry his proposal to found a Roman colony on the site of Carthage. After his death the portion of the Rubrian law providing for the settlement of Carthage was repealed. The motives which led the senate to reverse its policy by the foundation of Narbo Martius in 118 B.C. cannot be determined. Thereafter the senatorial party was opposed to colonial foundations beyond the bounds of Italy and bitterly fought the proposals of those democrats who sought to establish colonies in various provinces, and who succeeded in conferring Latin rights on the trans-Padane cities of Northern Italy. Marius initiated the policy of settling his soldiers in colonies of veterans, and later military leaders followed his example. Sulla and Caesar established their veterans, for the most part, on Italian farms confiscated from those opposed to them in the wars. Augustus and later emperors purchased lands for the purpose.

Caesar was the first Roman statesman to comprehend fully the fact that the safety of Rome as the capital of the empire could be secured only by fair and equitable government of the provinces, which now constituted the real source of imperial revenue and power. He and his successors devoted their best efforts to administrative problems, and they eliminated most of the abuses which had grown up during republican times. The equestrian order was deprived of its privilege of farming the provincial taxes, and in placing the collection of the imperial revenues as a charge upon the municipalities themselves, the emperors returned to a policy of decentralization. The convenience of this system led to important results in the extension of the municipal organization. Where a district was not sufficiently advanced for self-governing municipal institutions, various devices were adopted. For example, client princes were placed over certain kingdoms in Asia; Egypt was governed through a prefect; Cappadocia was divided into *στρατηγίαι*; in Thrace we find toparchies; and in Illyria *regiones* were established[1]. In all parts of the empire, however, the rulers fostered the development of municipal life, and by the beginning of the fourth century the whole empire might be considered as a group of administrative units made up of municipalities and imperial estates. Caesar also set an imperial precedent for the practice of regarding the provinces as Roman soil by founding transmarine colonies of Roman citizens, and he thus prepared the way for the grant of citizenship to provincial cities. The *lex Iulia municipalis* played an important rôle in developing the idea that municipal institutions in a particular district or province should be regulated by uniform laws; the reorganization of Gaul by Augustus, and of Spain by Vespasian was undoubtedly governed by this principle.

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[1] Mommsen, *Römisches Strafrecht*, 113 *ff*.

[2] Abbott, *Class. Phil.* 10 (1915), 365 *ff*.

In the first century of the empire the municipalities were left with a great amount of freedom and independence. Universal peace brought general prosperity. The borders of the empire were for the most part undisturbed, and there were no costly wars to lay any undue burden upon the imperial treasury. Until the principate was secure, provincial governors were under close scrutiny, since the danger to the succession lay in that quarter. As a result there was a tendency to encourage the independence of the municipalities in their relations to the governor. This may be seen in the revival and extension of the provincial assemblies which served as an important check on the governors, especially in the senatorial provinces, and in the encouragement afforded to embassies which came from the provincial cities direct to Rome. The emperor was universally regarded as the great benefactor who had released the provinces from the iniquities of senatorial government and from the miseries which had befallen them in the last century of the republic. The worship of the imperial godhead, established in every province and in every city, was not inspired by senseless flattery, but by a real sense of obligation. To the emperor, accordingly, the cities were eager to appeal on every conceivable question which affected their interests, although many embassies, from a desire to bring themselves to the imperial notice, were inspired by motives of vanity. It was inevitable that bureaus should be created to handle the great variety of business which was referred to Rome. Thus the paternal benevolence of the central administration and the servility of the local oligarchies reacted constantly on each other, until the central bureaus absorbed local legislative and administrative functions, while the municipal governments gradually lost their political initiative and power.

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[1] For the organization of the provinces, *cf.* Marquardt, *op. cit.* 1, 241 *ff.*; Kuhn, *Die städt. u. bürgerl. Verfassung d. röm. Reichs*, 2, 41 *ff.*; Mommsen, *Roman Provinces*, *passim*.

Under the imperial administration the decline of democracy in the provincial cities continued. In the West the popular assembly had never been important. The people expressed their will largely through their power of election, and this privilege seems to have been transferred to the senate before the beginning of the third century except in the case of a few cities in Africa[1]. The local senate was the chief organ of administration; and since its members held office for life, they controlled the annual magistrates as thoroughly as the Roman senate had once controlled the consuls. In the East democratic forms were cherished as a heritage of the past, but it is doubtful if the popular assemblies had exerted any real influence on the local administration even during the last century of the republic[1]. The loss of political instincts in the mass of the population was fatal to the best interests of municipal government. During the first century of the Christian era the administration came more and more under the control of vested interests which were no longer held in restraint by the scrutiny of a popular assembly. In spite of the outward brilliance of municipal life at this period and the intense rivalry of cities in building public works and in celebrating magnificent games and spectacles, it is undoubtedly true that corruption and misgovernment flourished. The eagerness with which wealthy citizens sought high office and undertook expensive liturgies was not always due to patriotic motives and to civic pride, but was more often inspired by a desire to enrich themselves at the expense of the municipality. Cicero had observed this tendency in Cilicia[2], and Germanicus was called upon to correct the abuses of local magistrates in the East[3]. Tacitus records the incident of Atilius of Fidena, who gave a gladiatorial show from motives of sordid gain, when, by the collapse of the flimsy stands which he erected, fifty thousand people were killed or injured[4]. Had we the full records of municipal history from the standpoint of the common people, we should undoubtedly find that many a record of brilliant service carved on enduring marble was amply repaid by the emoluments of office. Proof of this statement is not absolutely lacking, for the appointment of imperial agents and commissioners was not unknown in the first century; moreover, early in the second century, the *curator rei publicae* was created as a regular official for managing those communities whose internal affairs had become so entangled that the local authorities were incapable of solving their problems[1].

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[1] *Cod. Th.* 12. 5. 1 (326).

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[1] *Cf.* pp. 69 *ff.* The Athenian assembly exercised important powers in the reign of Hadrian; *cf.* no. 90, Chapot, *La prov. rom. proc. d'Asie*, 205 *ff.*

[2] Cicero, *ad Att.* 5. 16. 62.

[3] Tac. *Ann.* 2. 54.

[4] Tac. *Ann.* 4. 62.

In the first two centuries of the Christian era the great achievement of the empire was the Romanization of the West. The early emperors may have dreamed of accomplishing the same task in the East, but the forces of Greek tradition were too strong to be successfully overcome. The extension of the municipal system in the western provinces was an important factor in this movement, and, as the native population was for the most part unhampered by any cultural traditions, greater uniformity was attainable in the West than was possible in those provinces where Rome came into contact with older civilizations. For the empire as a whole uniformity was impossible; the effective obstacles were the fundamental differences between East and West, the division of administration between the senate and the emperor, and the inequalities of status in the various provincial cities, which continued from republican to imperial times. While few new colonies were founded after the age of Hadrian, the honorary title *colonia* was often conferred upon older cities, although the honor did not, necessarily, involve any change in constitutional forms[2]. Roman citizenship, however, was conferred with great liberality upon individuals and entire communities. Similarly, the *ius Italicum* and *ius Latii* were freely granted to provincial cities[3]. Since provinces were composed of federated, free, and stipendiary communities, and of Roman, Latin, and provincial citizens, uniformity in legislation was difficult. However, the knowledge and use of Roman law, as it was extended over the Roman world, carried the idea of universal legislation.

[1] *Cf.* pp. 90 *ff.*; no. 65 *a.*

[2] *Cf.* pp. 71 *ff.*

[3] *R.E. s.v. ius Italicum, ius Latii.*

The regulations in regard to the *fiscus* and the imperial liturgies were undoubtedly universal in their application. In the course of time it is probable that the imperial regulations were adopted by the municipalities to apply to purely local liturgies. Furthermore, the imperial will was supreme in every province, and while it is evident that the earlier emperors legislated for each city individually, yet it is probable that the tendency to frame universal regulations for all parts of the empire steadily developed. An edict of Augustus, lowering the age limit of municipal magistrates, and one of Trajan, forbidding the formation of clubs, were effective in the senatorial province of Bithynia[1]. Finally, the development of bureaucracy implies that the details of administration passed more and more into the hands of the civil service, and it was inevitable that uniform laws should become the prevailing practice in these departments.

The appointment of the *curator rei publicae*, to whose office we have already referred, shows the trend of paternalistic legislation under Trajan[2]. The evidence implies that the office soon became widespread, and if this was the case, inefficiency and corruption in the local municipal administration must have been general. As the personal representative of the emperor, the *curator* played an important part in undermining the power of the local authorities, and in later times he seems to have supplanted them in many cities. The office became so important that Ulpian devoted a special treatise to its duties. The correspondence between Trajan and Pliny shows the attitude of a benevolent and painstakingly conscientious emperor, and reveals the unhappy state into which the cities of Bithynia had fallen, when, for example, one of them could not decide on its own initiative whether a sewer should be covered. Hadrian devoted particular attention to the problems of municipal government in his travels. He also reorganized the civil service and placed it upon a more

[1] Pliny, *Epp. ad Trai.* 34, 79, 92, 93, 96; *cf.* 65.

[2] *Cf.* pp. 90 *ff.*

efficient basis. To him, also, is probably to be ascribed the codification of the provincial edict. By this act the administration of justice by the governor was placed on a uniform basis in the provincial courts.

During the first two centuries of the Christian era the imperial policy in respect to municipal government, in so far as a policy can be discovered, was consistent and uniform. In the third century the attitude of the central government towards the provinces changed. The new policy was due, in part, to the character of the government. The senate was now reduced to a very minor part in the administration, and all the provinces were under the control of the emperor. The army was all-powerful. The emperors, who were usually chosen by it, were not selected from the Roman nobility, but were successful or popular military leaders, unfamiliar with Roman traditions and unacquainted with the problems of civil administration. The government thus became a military autocracy, whose chief concern was the collection of sufficient revenue to secure the loyalty of the legions, and this consideration determined its attitude in framing the imperial policy towards the municipalities in the third century and the later empire.

Professor Rostovtseff has recently advocated the theory that the imperial policy of the third century was dictated by the hostility which existed between the army and the cities[1]. He believes that, since the legions were made up of conscripts drawn from the villages, where they had been exploited by the civic authorities, the peasant soldiers forced the emperors, chosen by them, to avenge past injuries by oppressing the cities. The military autocracy sought to bring about a levelling, politically, socially, and economically, of the wealthy governing class in the cities. Rostovtseff believes, somewhat inconsistently, that the emperors sought to strengthen the municipalities by creating a strong peasantry. Here, however, they only succeeded in intensifying the antagonism between town and country. The peasant began to be conscious of his power and looked to the emperor as his protector against the city. We have discussed this theory more fully elsewhere[1]. The chief objection to it is the fact that the majority of the complaints lodged by the villagers in the third century are directed against the soldiers and imperial officials who were supposed to protect them.

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[1] Rostovtseff (formerly Rostowzew), *Mus. Belge*, 27 (1923), 233*ff*. *Cf.* nos. 139, 192.

Early in the third century the edict of Caracalla, extending the Roman franchise to all provincials, is one of the most important acts of the imperial government in the history of Roman municipal legislation. The motive of the emperor in issuing this edict has been variously interpreted. Cassius Dio, the only ancient historian who refers to it, states that the purpose was to collect more revenue[2]. This might have been done, however, by extending the inheritance tax, hitherto levied only on Romans, to all provincials[3]. Rostovtseff advances the theory that Caracalla, being of non-Roman origin, took delight in reducing the Romans to the same level as the provincials[4]. From the standpoint of municipal history, we believe that the edict served a different purpose, and we venture the following interpretation. Heavy taxation and burdensome liturgies had already begun to press with great severity on the governing bodies of the municipalities, especially since the resources of the empire were dwindling and the cost of administration and defense was increasing. The necessary revenue could not be raised unless the municipal organization continued unimpaired. But, as we have pointed out in our discussion of liturgies, it was more and more difficult to find suitable candidates for public office[5]. Before adopting compulsory legislation, the government had resorted to various devices in order to secure eligible candidates for the local senate and magistracies, chief of which was the grant of *Latium maius* or *minus*, whereby members of the *curia* or magistrates, respectively, earned the right of Roman citizenship. For a time this legislation may have succeeded in inducing candidates to stand for office, but ultimately it defeated its purpose, since no one who became a Roman citizen could be required to hold office or to perform liturgies in any other city unless he chose to do so voluntarily[1]. Since those chosen for this honor were usually the wealthier citizens, and since the number of Romans steadily increased in each community, the local government became proportionately weaker. It is probable, therefore, that the edict of Caracalla was devised as a means of reviving the municipal administration in non-Roman communities. The *conventus civium Romanorum* disappeared, and all members of the community were placed upon the same footing in regard to municipal obligations. In this way the collection of the imperial revenues was better secured. Furthermore, the edict must have swept away the inequalities in the status of provincial cities. It has been noted that the title *civitas* began to supplant *municipium* and *colonia* about this time, and the distinction between free, federated, and tributary states must have been largely eliminated, although it is probable that the privileges of some cities were renewed or confirmed by special grant. For example, the *ius Italicum* was cherished by a few cities until later times, and Antinoopolis in Egypt seems to have retained the privileges granted by Hadrian as late as the end of the third century[2]. Unfortunately, the amelioration of conditions in the cities, which was accomplished by the edict, was more than nullified by the famines, plagues, civil wars, and the complete demoralization of economic life in the century which followed. Moreover, the wealthier class was still able to secure exemption from municipal obligations by obtaining the rank of imperial senator.

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[1] No. 139.
[2] *Cf.* no. 192.
[3] Hirschfeld, 97.
[4] *Cf.* p. 190, n. 1.
[5] *Cf.* pp. 112 *ff.*

[1] *Cf.* p. 103, n. 1.

[2] Wilcken, *Chrestomathie*, 397; *cf.* nos. 137, 170, 183, 184.

The social effects of the edict may be seen more clearly in the oriental cities. Here the administration had been controlled by a Greco-Roman oligarchy which was very much in the minority. When all citizens obtained Roman rights, the ruling aristocracy was submerged in a rising tide of orientalism, and as the central government became weaker, the spirit of nationalism began to manifest itself in various provinces. Native law, however, was supplanted by Roman jurisprudence much more rapidly under the new conditions, and it is probable that the municipal courts declined rapidly in the following century. Moreover, since the status of all cities was now the same, and since the military emperors cared little for local traditions, a policy of uniform legislation for the whole empire developed more rapidly. It must not be understood from this that the internal constitutions of all cities were brought into conformity. The imperial government cared little for such details so long as tribute continued to be paid. There is, however, some evidence that local charters were overridden, as for example, in the law which required that magistrates should be elected from among the decurions[1]. Ulpian defined the duties of the *curator rei publicae* in a special treatise, and Arcadius Charisius wrote a book on municipal *munera*. The Digest contains numerous extracts from the jurists dealing with municipal administration. Paulus, Ulpian, Hermogenianus, and others dealt with the office of governor, and his relations with the municipalities were closely defined. The power of veto, the right of making nominations for magistracies and liturgies, the oversight of public works, the formation of the *album*, the administration of justice, the enforcement of laws regarding honors and liturgies, and other details of municipal administration were vested in the governor or *curator*.

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[1] The laws in regard to the privileges, responsibilities and status of decurions seem to have been enacted before the time of Ulpian. *Cf. Dig.* 50. 2 *passim.*

The preservation of the municipality as a medium for the collection of revenues offers the best explanation of the imperial policy of the third century. This was undoubtedly the reason why Severus extended the municipal system to Egypt in A.D. 202. The formation of local guilds of workmen in various trades was also dictated by a desire to create a new class that would be responsible for a portion of the liturgies which were pressing so heavily upon the municipalities. We cannot determine at what period the principle of *origo* was extended from the Orient to other parts of the empire. The emperors early recognized that a citizen's birthplace had priority in claiming his services for magistracies and liturgies[1]. According to a law recorded by Ulpian, the provincial governor had the power to compel decurions, who had left their native city, to return and fulfil their obligations in the *curia*[2]. This is the beginning of a long line of legislation dealing with the *curiales*, the purport of which was to bind them to their birthplace and to reduce them to virtual serfdom. This development was slow, but it was accelerated by the legislation of Diocletian, who by separating the civil and military power in the provincial administration and by his subdivision of the empire and the provinces greatly increased the cost of administration. To meet the additional outlay a new system of taxation was devised which not only placed a heavier burden upon the subject peoples, but also forced them to exploit their lands to the point of exhaustion.

The imperial policies of the fourth and fifth centuries do not differ from those of the third, except that the emperors resorted to more desperate expedients in order to preserve the civic organization. The *curiales* and members of guilds were bound to their order and their place of origin, and all citizens transmitted their rank and their profession in hereditary succession to their descendants. The misery of the civilian population was aggravated by the oppression of the bureaucracy, whose members exploited the provincials in every conceivable way. The last great act of imperial charity was the creation of the office of *defensor plebis*, whose duty it was to protect the common people and to safeguard their interests. How far he succeeded it is impossible to say. In the later empire he seems to have joined with the wealthy proprietors in their work of spoliation. He also contributed to the weakening of the powers of the local municipal magistrates, especially in legal and in administrative functions[1].

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[1] This principle seems to be indicated in the *lex provinciae* of Bithynia when Pompey forbade the cities to grant rights of citizenship to anyone who was already citizen of another town within the bounds of the province, Pliny, *Epp. ad Trai.* 114.

[2] *Dig.* 50. 2. 1.

We have traced elsewhere the results of Rome's failure to develop a sound social, political, and economic policy in municipal administration[2]. Her statesmen were usually opportunists, and few clearly defined policies which were steadily or consciously pursued can be discovered. The greatest achievement of Rome was the extension of the municipal system over the greater part of her empire, thereby preparing the way for the more rapid infiltration of the cultural ideas of the age. One of the gravest defects in her policy was the preservation of the particularism of the ancient city-state. Had the provincial councils been allowed to develop, they might have created an organization along modern lines where there would have been cooperation for the common good, and where a national consciousness might have arisen which would have united and strengthened the empire. As it was, each city was encouraged to preserve its individuality as an isolated unit. More fatal still was the elimination of the democracy as a factor in local government. Thus the mass of the people was deprived of the power of exercising its political instincts. An irresponsible oligarchy gained control of the municipal administration, and the way was opened for widespread corruption and inefficiency. Finally the central government was compelled to come to the rescue, but the statesmen of that age could discover no other remedy for the situation than by the creation of new bureaus and by the multiplication of officials. When the imperial power became a military autocracy, the city was regarded chiefly as a convenient agent for the collection of taxes to support the army and the bureaucracy, and thereafter the preservation of this instrument was the motive of all legislation dealing with municipal institutions.

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[1] *Cf.* pp. 92 *ff.*

[2] *Cf.* pp. 197 *ff.*

## CHAPTER XIV

# THE DECLINE OF ROMAN MUNICIPALITIES

"THE world," wrote Tertullian[1], "is every day better known, better cultivated, and more civilized than before. Everywhere roads are traced, every district is known, every country opened to commerce. Smiling fields have invaded the forests; flocks and herds have routed the wild beasts; the very sands are sown; the rocks are broken up; the marshes drained. There are now as many cities as there were formerly cottages. Reefs and shoals have lost their terrors. Wherever there is a trace of life there are houses, human habitations, and well ordered governments." While the rhetorical exaggeration of this panegyric of the Roman world under Aurelius may be readily discounted, and exceptions to the general happiness and content may be granted, the prosperity of the empire in the first and second centuries of its history is everywhere apparent. In the long era of peace trade and commerce developed unhindered, and agricultural or industrial communities were free from the wastage of foreign wars and internal strife. Municipal institutions spread far and wide until the empire became in great part an aggregate of city-states. In each of these the citizens displayed an intense pride in public welfare, and endowed their native town with splendid monuments, buildings, and gifts for special purposes, such as libraries and schools. Offices and honors were eagerly sought, and lavish contributions were made in attaining them. Public spirited citizens, civic pride, and keen urban rivalries combined to produce a brilliant municipal life throughout the empire.

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[1] Tertullian, *de anima*, 30 (Ferrero's translation).

In bitter contrast to the prosperity of the early days of the empire, the records of the fourth century present a far different picture. The citizens now sought every possible means of avoiding public service. Oppressed by heavy burdens of taxation and liturgies, they often preferred to abandon their property and take refuge in flight rather than discharge their obligations. Local senates no longer had members sufficient in numbers to preserve the municipal organization, and many cities had degenerated into villages, or had been completely abandoned. The law codes are filled with references to deserted *curiae* and fugitive citizens[1]. Desperate remedies were applied to restore civic life, but so severe was their nature that the process of decline was aggravated. It is everywhere apparent that the ancient city-state had become bankrupt in its social, political, and economic life, and had passed into the hands of an imperial receivership administered by an autocratic bureaucracy.

The problem of the decay of municipal institutions has not received the same attention as the decline of the empire, but the factors which determined the fate of each were essentially the same, for the vitality of a nation depends on the strength of its component parts. Many theories have been set forth to account for the disintegration of Roman power, of which none can be accepted as the sole explanation[2]. Many factors played a part, and the most difficult problem, after the lapse of centuries, is to determine their relative importance. In some cases purely local conditions, such as the shifting of trade-routes, or the exhaustion of mines, clay deposits, or forests, affected the prosperity of communities depending upon them. It is our purpose, however, to outline briefly the history of the political, social, and economic developments in municipal life under the empire, and to determine if possible what factors were universally operative in reducing municipal institutions to their unhappy plight in the fourth century.

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[1] *Cod. Th.* 12. 1. 6 (319), 11 (325), 13 (326), 22 (336), 24 (338), 25 (338), 40 (353), 43 (355), 49 (361), 63 (370), *et alia.*

[2] There is a good summary and critique of theories advanced by earlier scholars in *Am. Hist. Rev.* 20 (1915), 724 *ff. Cf.* Declareuil, *Quelques problèmes d'histoire des institutions municipales au temps de l'Empire romain*; Hadley, *Rome and the World Today*; Heitland, *The Roman Fate*; Ferrero, *The Ruin of Ancient Civilization*; Seeck, *Geschichte des Untergangs der antiken Welt*; Simkhovitch, "Rome's Fall Reconsidered," one of the essays in *Towards a Better Understanding of Jesus*; Heitland, *Iterum*.

The most important problem of statecraft in the Roman Empire was the adjustment of the political relations between the central government and the municipalities. The civic organization had been retained wherever the Romans found it existing, as a convenient unit of administration; and where the native population lived under a more primitive social organization, municipal government was introduced as soon as it was found practicable to do so. The cities already established in conquered territory were deprived of their military authority, and usually lost, or were seriously limited in, the power of conducting negotiations with other states. The privilege of using their own laws in their courts was highly prized by them, and the right was sometimes accorded, but in most cases the law was administered by the governor in accordance with the provisions of his own edict[1]. The Romans seldom concerned themselves with constitutional changes in subject cities, but since they preferred to deal with a stable oligarchy rather than with a fickle democracy, the popular assemblies gradually ceased to exercise any power, and the senate became the chief organ of municipal government[2]. Theoretically, each municipality was responsible for the administration of its own territory, but governors often found excuses, legitimate or otherwise, for interference. The system of farming out the collection of taxes to *publicani* was especially fruitful in involving the cities in financial troubles; and in the regulation of these and other matters the decision of the governor was final.

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[1] *Cf.* pp. 48 *ff.*

[2] *Cf.* pp. 186 *ff.*

With the establishment of the empire the position of the subject races improved immeasurably. The paternalistic administration relieved the provincials from the countless exactions of the old *régime*, and the emperor was always willing to hear complaints and to remedy them. It is little wonder that the cities regarded the head of the state as an all-wise, all-powerful, and beneficent prince, and we may well believe that their decrees of adulation were thoroughly sincere. Partly from gratitude, partly from servility, they constantly referred their difficulties to the emperor, and the roads to Rome were thronged with embassies from senatorial and imperial provinces alike. This practice led to the creation of bureaucratic offices which, once inaugurated, tended to perpetuate themselves. Since a great number of problems were decided by the central administration, precedents and rules of procedure were established which were ultimately incorporated in laws and applied to the whole empire without regard to local charters or privileges. The bureaus thus played an extremely important part in transferring the legislative functions of the municipal governments to Rome, and in clearly defining the relations of the provincial governors to the cities by formulating universal laws in regard to the magistracies, the *curator*, the *defensor*, the decurions, the liturgies, and other details of civic life[1].

While the legislative functions of municipal governments had largely passed into the hands of the central authorities by the beginning of the third century, the usurpation of administrative powers was a matter of slow growth. The sporadic practice of sending out imperial commissions, vice-imperial prefects, and special agents (*curatores*) who controlled the expenditure of money from the imperial treasury, gave way to a more systematic control of municipal affairs under Trajan. In his reign many cities had become involved in serious difficulties either through mismanagement of their funds, or decline in their revenues, and special officers were appointed by the imperial government to examine and regulate methods of civic administration. There were two classes of these, the *curator rei publicae* (λογιστής) and the *legatus Augusti ad corrigendum statum liberarum civitatum*, more commonly known as *corrector* (διορθωτής or ἐπανορθωτής). In a few instances in the East the titles were combined.

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[1] *Cf.* pp. 84 *ff.*

The *curator rei publicae*[1] was found in all parts of the empire, and apparently very few cities escaped his supervision. Although he was elected in later times by the local senate, he probably retained the dignity of an imperial agent, outranking the other magistrates and gradually usurping their functions. As controller of the revenues and public lands, and possessing the right of veto, the *curator* played an important rôle in undermining the institutions, and in paralyzing the political initiative and independence of the municipalities with which he came in contact. The *corrector* exercised functions somewhat similar to those of the *curator*, but his powers were greater[2]. This official was usually appointed in senatorial provinces, in free cities (*liberae civitates*), and in Italy and Sicily, and was a powerful factor in bringing those municipalities enjoying special privileges to the same footing as other towns in the empire. He also paved the way for the transfer of senatorial provinces to imperial jurisdiction.

In the latter half of the fourth century the office of *defensor civitatis* (*plebis*) was created, primarily, to safeguard the interests of the common people[3]. While his duties were ill-defined at first, his high rank, long tenure of office, and the privilege of easy access to the governor or his superiors soon gave the *defensor* such prestige that the other municipal authorities were completely overshadowed, and by the beginning of the fifth century he was the sole magistrate in many towns. There is ample evidence that he sometimes allied himself with the land-holders and cruelly oppressed the people whom he was supposed to protect. The office thus fell into disrepute, and in the reorganization effected by Justinian it became a liturgy imposed upon the leading citizens in rotation.

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[1] Liebenam, *Philol.* 56 (1897), 290 *ff.*; *R.E. s.v. curator*; *cf.* pp. 90 *ff.*

[2] *R.E. s.v. corrector.*

[3] *R.E. s.v. defensor*; *cf.* pp. 92 *ff.*

The provincial governor in the republican period was supreme in the territory over which he exercised jurisdiction. His powers were limited only by the *lex provinciae*, his own conscience, and the force of public opinion at Rome. Verres in Sicily and Cicero in Cilicia busied themselves with the details of municipal administration, and the former had little regard for the interests or privileges of the cities under his authority[1]. In the early empire the rights of the towns were more jealously guarded, especially in senatorial provinces, and many cities, disregarding the governor, appealed directly to Rome. The correspondence of Pliny reveals how far he was restricted in initiative even in matters of trifling detail[2]. In the latter part of the second century the governor exercised more extensive powers. He had the privilege—frequently exercised—of taking part in the deliberations of the local senates, and of making nominations for magistracies and liturgies[3]. Since civilians were usually responsible as sureties for the candidates whom they nominated, the governor was called upon to exercise this duty more and more frequently as the burdens of office and public service became more oppressive[4]. If any candidate refused to hold office or to discharge a liturgy, the governor had the power to compel him to do so. Many other matters of municipal administration came under his jurisdiction, such as the formation of the *album*, the construction of public works, the sending of embassies, and the enforcement of the laws regarding *curiales* and guilds[5]. In the reorganization of the empire effected by Diocletian, the limitation of the size of the provinces greatly increased the powers of the governor by enabling him to exercise a closer supervision of the municipalities within his district.

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[1] Cicero, *in Verr.* 2. 15, 22, 24, 25, 40; Cowles, *Gaius Verres*, 27 *ff.*

[2] *Cf.* pp. 149 *ff.*

[3] *Dig.* 49. 4. 1, 3, 4; *cf.* pp. 85 *ff.*, 98 *ff.*

[4] *Cf.* pp. 97 *ff.*

[5] *Dig.* 1. 16. 18; 50. 3. 1, 2; 50. 4. 3, 8, 9; 50. 10. 2, 3, 5; *cf.* pp. 193 *ff.*

While the growth of vast imperial and private estates checked the spread of municipal institutions, it is difficult to determine how far the presence of such estates in municipal territories limited the administrative powers of the local authorities. In the civil wars of the third century and in the late empire when the central government was powerless to check the oppressive exactions of the bureaucratic officials or the ravages of lawless troops and local brigands, individual citizens, and sometimes entire villages, placed themselves under the protection of some wealthy landlord[1]. As a result their properties passed from municipal control, although the local senate was still liable for the taxes on such lands. The emperors sought in vain to check the growth of private patronage. The owners of the great estates were able to defy the tax-collectors; and since any deficiency in the quota of taxes assessed upon the municipality had to be made up by the *curiales*, many of them were impoverished by the increase of *latifundia*, and the municipal organization was so seriously weakened that it ceased to fulfil its functions in many cities[2]. The same effect was produced by the development of great imperial estates which rapidly increased in all parts of the empire through bequests, fines, and confiscations[3]. Not only were these lands withdrawn as a source of municipal revenue, but tenants of the emperor were exempted from municipal charges. In 342 a law was passed by which *curiales* who leased less than twenty-five *iugera* were required to discharge their curial obligations, but in view of the increasing difficulty of finding suitable tenants, it is doubtful if the law was ever rigidly enforced[1].

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[1] Zulueta, *de patrociniis vicorum*; Libanius, *de patrociniis*, 4 *ff*.

[2] Libanius, *loc. cit.*; *cf*. no. 190.

[3] Mommsen, *Strafrecht*, 1005 *ff*.; *Cod .J*. 10. 38. 1 (396); nos. 90, 157.

The extant municipal charters show that the local magistrates had jurisdiction over civil and criminal cases within certain limits[2]. The *lex provinciae* probably defined the right of individual cities in the administration of justice. In cases where local jurisdiction was not permitted, the law was administered by the governor or by his agents delegated for the purpose[3]. The governor's edict, according to which he dispensed justice in his circuit, was based on that of the Roman praetor, and was instrumental in spreading familiarity with Roman jurisprudence among the provincials. In Spain and Gaul the native law was primitive and had little importance under Roman rule. Under the republic the Greek cities clung jealously to their own legal system, and valued the right to use their own laws as an evidence of fancied autonomy. While the influence of Greek jurisprudence may be traced in the Byzantine age, the existence of local courts is rarely proved after the third century[4]. In the imperial period the Roman law and the Roman courts seem to have grown steadily in favor. Various causes may have influenced this development. The dominance of the state and of imperial legislation, the partiality and corruption of a local judiciary in an oligarchical government, the appointment of *iuridici* in Spain and Italy and of *curatores rei publicae* in provincial cities, the right of appeal, and the extension of Roman citizenship all tended to weaken the local courts and extend the use of Roman law. The reorganization of the provinces by Diocletian gave the civil governor (now usually styled *iudex*) greater opportunity to supervise the administration of justice. Legislation enabling the governor to decide cases summarily without the assistance of a

[1] *Cod. Th.* 12. 1. 33 (342); no. 142.

[2] Nos. 27, 64, 65; *cf.* pp. 60 *ff.*

[3] Chapot, *La prov. rom. proc. d'Asie*, 352 and note.

[4] *Cf.* no. 133 and *CIL.* III, 412 for late examples of municipal courts.

bench of *iudices*[1], and to appoint judges (*iudices pedanei*) for petty cases must have weakened the power of local magistrates very considerably[2]. The Codes of Theodosius and Justinian scarcely mention them in a judicial capacity[3]. In the fourth century the *defensor plebis* and the Christian bishops probably absorbed whatever judicial power still remained in the hands of the local magistrates. While resort to the ecclesiastical courts was purely voluntary, their simplified procedure and the moral weight of their decisions made them so popular that they attracted cases even from the courts presided over by the governor[4].

As the political institutions of the municipalities were decaying, the structure of their social life was being slowly transformed. The citizens might be divided into two great classes, those who were under obligation to discharge municipal liturgies, and those who were exempt from such burdens. The privilege of exemption was enjoyed by priests of the local and provincial cults, soldiers and veterans, members of the imperial bureaucracy, a limited number of physicians and teachers in each community, and, after the beginning of the fourth century, by officers of the Jewish and Christian churches. But the most important group was composed of those who held patents of imperial nobility, for in their hands was concentrated the wealth of the municipality. The passion for imperial honors almost became a mania amongst provincials, and the emperors bestowed the grant freely, either as a means of purchasing the loyalty of the provinces, or as a source of revenue, or as a reward for public service. The privileges of the senatorial order were hereditary, and in the fourth century, when municipal duties became a burden to citizens, the titles of nobility were illegally purchased or fraudulently assumed by wealthy families in order that they might escape their local obligations. This evil became so serious that the order of *curiales* was in danger of disappearing in many cities, and the emperors sought to remedy conditions by cancelling all honors illegally secured, and by raising the standard of requirements for future grants. In 390 the hereditary privileges were withdrawn, except in the case of the highest rank (*illustres*), and three years later it was decreed that the property of those receiving senatorial honors should remain subject to its former liturgies. Theodosius II finally closed the ranks of the nobility to those of curial origin.

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[1] Arnold, *Roman Provincial Administration*, 189.

[2] *Cod. Th.* 1. 16. 8 (362). The office of *iudex* as a municipal liturgy is referred to in *Dig.* 50. 4. 18, 14. *Cf.* Mitteis, *Reichsrecht und Volksrecht* and *Grundzüge zur Papyruskunde*.

[3] *Cod. Th.* 8. 5. 1 (315); 11. 31. 3 (368).

[4] Vinogradoff, *Cam. Med. Hist.* 1, 565*f*.

In the fourth century the *curiales* constituted the great middle class in the municipalities, and they were grouped by the laws into a distinct order composed of all citizens eligible for public office, or capable of discharging the liturgies imposed for the maintenance of civic and imperial administration[1]. In consequence of their oppressive burdens members of this class attempted in every possible way to escape from their order, and the emperors were continually devising legislation to hold them to their obligations. Membership became hereditary, and no one could leave his native place except on pain of discharging the liturgies of his former as well as of his new home. He was even forbidden to take up his residence on his country estate to escape the liturgies of the city. No one of curial birth could enter the army, the clerical orders, the monastic life, the imperial service, the guilds, or the service of a wealthy proprietor as a steward or a *colonus*. The goal of imperial honors was only possible under conditions which were made increasingly difficult, and was finally denied to *curiales* altogether. Those who sought to enter any order or profession which carried the privilege of exemption from liturgies, were compelled to return to their former station. The emperors finally found a simple remedy to prevent defection from the order by attaching the liturgies to the estate instead of to the individual. Property of *curiales* could not be sold without the consent of the governor or of the *curia*. The purchaser of such an estate assumed the civic liabilities attached to it. Bequests to non-members of the order were penalized by partial confiscation, and special legislation was devised in regard to the property of heiresses who married outside of their order or of their city. In spite of the laws, the *curiales* steadily diminished in number, although they were recruited in various ways. Sons of veterans who did not enter the army were regularly enrolled, although it is difficult to see what strength they could have given to the order. On occasion, plebeians and members of guilds who had acquired a certain amount of wealth were compelled to join[1]. Provincial governors even condemned criminals to the order as a punishment, although it is probable that such cases were limited to those of curial origin, or to those who were avoiding military service[2].

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[1] *Cf.* pp. 112 *ff.*

Members of guilds of various trades were granted partial immunity from liturgies in return for some specific duty which they undertook for the common weal[3]. Most of these guilds were in the imperial service, such as the alimentation of Rome, the mint, the mines, the factories for textiles and arms, and the like. A few were under the control of the municipal authorities and their members were required to act as firemen, to provide for public baths, to furnish entertainment in the theatres, or to discharge other duties. While we are fully informed about the imperial guilds, the Codes give little attention to the municipal corporations, but it is probable that the legislation governing the former applied to the latter as well.

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[1] The fullest treatment of the subject of guilds may be found in Waltzing. *Études historiques sur les corporations professionnelles chez les Romains*; cf. *R.E. s.v. collegium*; Abbott, *The Common People of Ancient Rome*, 205 *ff.*; Declareuil, *op. cit.* 153 *ff.*, 185 *ff.*

[2] Declareuil, *op. cit.* 192 *f.*

[3] *Cf.* pp. 107 *ff.*

In 337 Constantine granted complete exemption to a large number of trades in the municipalities, without specifying that they should be united in corporations for any special duty, but the evidence from inscriptions would lead us to believe that the guilds had become universal, at least throughout the western provinces, by that time. Early in the fifth century all citizens of towns were required to enroll themselves either in the order of *curiales* or in one of the guilds[1].

Under the early empire the service rendered to the state by the guild was not compulsory, and partly by grants of immunity, partly by pay, the government was willingly served. But in time the burdens became intolerable. Membership became hereditary, and the choice of a profession was no longer a matter of personal preference but of birth[2]. Once enrolled in a guild, no member could escape, and he was confined for life to his profession and his place of origin[3]. One suspects that this legislation was devised in favor of vested interests as a means of controlling the supply of labor, but it is also possible that it was demanded by the guilds themselves to protect their own organization when the duties imposed upon them became so heavy that it was difficult to retain their membership. Be that as it may, the most important source for recruiting new *curiales* was closed, and the development of trades and industries in new places was checked because the free movement of skilled labor ceased.

The only class in the municipalities not affected by imperial legislation was the proletariat or *ima plebs*. The practice of Rome in maintaining this parasitic element by public charity was unfortunately widely copied, and imposed a serious charge on the civic budget. Not only that, but the glamour of ancient urban life attracted labor from farms and other industries where a bare livelihood was gained by arduous toil. In the city one could be fed and amused at the expense of the state, and when the *capitatio plebeia* was removed from the residents of the towns, we cannot wonder that the urban movement went on apace.

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[1] *Cod. Th.* 12. 1. 179 (415). This law does not reappear in the Justinian code and may not have been long enforced.

[2] *R.E. s.v. collegium.*

[3] In 371 Valentinian ordered that *navicularii* should be *perpetuo obnoxii functioni* (*Cod. Th.* 13. 5. 14). Other guilds were soon brought under the same regulations (Declareuil, *op. cit.* 186).

This survey of the social organization in the fourth century reveals the deplorable plight into which the citizens of the municipalities had fallen. While it is doubtless true that the heavy taxes and the oppressive liturgies contributed a great deal to the distress of the *curiales* and guilds, these burdens could have been borne if they had been imposed while the municipalities were enjoying uninterrupted prosperity. But it is clear that the favorable economic conditions which prevailed in the first century had given way to widespread and long continued depression. The population was decreasing in numbers, and the revenues of the towns as well as the wealth of the citizens were diminishing. There was grave danger that the municipal organization, which was still of the highest importance, especially as an instrument of tax-gathering, might disappear. This was the compelling reason which led the central government to interfere in municipal administration, to build up elaborate bureaucratic machinery, and to devise stringent legislation controlling the private life of the individual citizen.

In studying the economic conditions of municipal life in the ancient world we must bear in mind that the industrial city of the modern type was unknown. Labor costs were practically uniform throughout the empire, and inland towns could not build up a foreign trade because of the difficulties and costs of transportation. Only in cases where there was a monopoly of some natural product, such as papyrus, dyes, metals, special clays, or finer grades of wool, could industries develop and compete successfully in distant markets. Cities favored by exceptional facilities for transportation, either on some great trade-route or with easy access to the sea, often developed important industries, but manufacturers usually depended on the local market within the bounds of their own *territorium*[1]. In the vast majority of cases the wealth of the city and the prosperity of its industries depended upon the economic welfare of its agricultural class. In the modern world all industrial activities are powerfully affected in normal times by rich harvests or by the failure of crops; and in the ancient world industry and agriculture were even more closely related. Besides, the revenues of the cities were largely derived from public lands, and the majority of wealthy citizens were owners of great estates. It is, therefore, apparent that the most powerful factors affecting both public and private economic life must be sought in an investigation of agricultural conditions throughout the empire.

There is ample evidence that the soil was being gradually exhausted in the older provinces even under the republic[2]. The early colonial assignments were seven *iugera*. These were increased to thirty by Gracchus and to sixty-six by Caesar[3]. While it might be unsafe to draw the inference that land which once supported nine persons hardly sufficed for one at the beginning of the empire, yet the increased area of the later assignments is significant of a progressive decline in fertility. Columella, writing about A.D. 60, states that a fourfold return in grain was unknown on Italian farms at that time[4]. The soil of Sicily, Sardinia, Spain, Gaul, and Africa was exhausted in turn. The eastern empire undoubtedly gained its longer lease of life from the bounty of the Nile and the rich lands bordering on the Black Sea. As the soil grew sterile, agriculture became unprofitable and farms were abandoned. Under such conditions there would naturally be a shift of the agricultural population to more fertile areas, but the law of *origo*, which forbade the free movement of settlers from one municipal territory to another, was fatal to the best interests of agricultural development. The poorer farmers had the choice of two alternatives, either to join the urban movement, or to attach themselves to some patron as his *coloni*. The problem of resettling the waste fields was attacked by all the emperors. Augustus and his successors founded colonies. Tiberius forced capitalists to invest in lands[1]. Nerva spent sixty million sesterces in purchasing estates to be distributed among farmers[2]. Generous alimentary laws were enacted for the support of the agricultural classes. Veterans were given free allotments. Pertinax allowed squatters to occupy uncultivated fields, even on imperial estates, and if they brought their land under cultivation, full title of ownership was granted[3]. Three years' exemption from taxes was also allowed. Later more drastic legislation was attempted. Owners of fertile fields were required to take over deserted plots, and taxes were imposed in order to compel them to cultivate these lands. This system, called *adiectio*[4], was oppressive and naturally unpopular, and was finally abandoned in 412. Restrictive laws were also drafted. An owner who found his estate unprofitable was forbidden to sell his farm slaves without a proportionate amount of his land[5]. The slaves were thus bound to the soil; and the same law was ultimately applied to the tenants or *coloni*[6].

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[1] Westermann, *Am. Hist. Rev.* 20 (1915), 724 *ff.*; Meyer, *Kleine Schriften*, 79 *ff.*; *R.E. s.v. Industrie.*

[2] Weber, *Handwörterbuch der Staatswissenschaft, s.v. Agrärgeschichte*; Simkhovitch, *Political Science Quarterly*, 31 (1916), 201 *ff.*; Heitland, *Agricola.*

[3] Mommsen, *Ges. Schr.* 2. 87 *ff.*

[4] Columella, 3. 3.

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[1] Tac. *Ann.* 6. 16, 17; Suet. *Tib.* 48. Trajan required provincials who were candidates for office in Rome to invest a third of their wealth in Italian real estate (Pliny, *Epp.* 6. 1. 9).

[2] Heitland, *Agricola*, 272.

[3] Herodian, 2. 4, 6.

[4] *Cod. J.* 11. 58. 1; 11. 59. 5 (364–375), 9 (394), 11 (400), 14 (415), 16 (419).

[5] *Cod. J.* 11. 48. 2 (357), 6 (366), 7, 8.

[6] The *coloni* were virtually bound to the soil by the legislation of Constantine (Heitland, *op. cit.* 393 *ff.*).

It was also forbidden to sell a fertile part of an estate without a proportionate amount of sterile land[1]. That all these measures failed in their purpose may be seen from the fact that in 395 there were over half a million *iugera* of deserted farms in the single district of Campania[2].

The exhaustion of the soil was due in large measure to the primitive methods of agriculture which had been inherited from prehistoric times[3]. Such antiquated tools were used that two or even three plowings were necessary before the ground was ready for seeding. Shallow cultivation was the rule, and the resources of the subsoil were never tapped. Under these conditions the surface soil soon lost its accumulated store of humus. The supply of natural fertilizer was insufficient to restore the necessary elements to the land when it had become impoverished by frequent cropping. Artificial fertilizers were not available, and the modern practice of restoring nitrogenous elements by sowing clover was unknown. While the theory of rotation of crops was familiar to writers on agriculture, the majority of the farmers preferred to allow the land to lie fallow in alternate years[4]. It cannot be determined whether the general desiccation, which spread over central Asia about the beginning of the Christian era, extended also over the Mediterranean basin and affected the fertility of the soil; but it is probable that cities of Syria and northern Africa developed under conditions of greater humidity than now prevail in those regions.

Deforestation played a large part in destroying agricultural lands. As cities developed, the hills were stripped of forests to supply building material. As a result the moisture was not conserved in the ground, and the rain, flowing in torrential streams down the mountain-sides, not only left them bare of soil, as they are at the present day, but also filled up the water-courses in the plains below, creating malarial swamps where rich fields had once supported a large population. In Syria ruins of numberless towns are found in a region where wastes of barren rock now render the country absolutely impossible for human habitation. Yet this district once supported a great population enriched by the culture of the vine and olive. Recent investigation has shown that lumber was once plentiful in this region, and that the reckless stripping of the forests on the hillsides was the chief cause of the desolation which exists today[1]. In Greece, Italy, and in fact in every part of the Mediterranean basin where forests could be exploited for their lumber, the same process may be traced[2].

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[1] Simkhovitch, *op. cit.* 237; *Cod. J.* 11. 59. 10 (398).

[2] *Cod. Th.* 11. 28. 2 (395).

[3] Simkhovitch, *Political Science Quarterly*, 28 (1913), 383 *ff.*

[4] Heitland, *op. cit.* 291.

Not only was the fertility of the soil declining, but other adverse economic conditions faced the agricultural class. Those settled in the older provinces were brought into competition with farmers exploiting the virgin soil of each new addition to the empire. In particular, Egypt was not only endowed with a marvellous system of transportation, but also renewed its rich fertility annually. Although Egypt as a granary was a source of strength to the empire, its possession dealt a serious blow to agriculture in other provinces where the yield per acre and per unit of labor was immeasurably less. Moreover, the great estates which rapidly developed in every province could be worked more economically than the small farm[3]. The owner of small holdings was compelled either to exploit his land and exhaust it more rapidly, or to bring larger areas under cultivation, although the latter alternative was almost impossible because of the difficulty of securing labor. In the era of peace which followed the establishment of the empire, cheap slaves disappeared from the market, and the constant demand for recruits for the army drained the country districts of their vigorous manhood[1]. The poorer farmers were unable to meet the new conditions and many became involved in debt to the wealthy proprietors in their neighborhood. In the course of time they were obliged to surrender their property in payment of debts, and many were compelled to work out their obligations by remaining on their farms as tenants, and thus the way was prepared for the introduction of the colonate. Others abandoned their farms and flocked to the cities to be supported by municipal charities[2].

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[1] Butler, *Geographical Review*, 9 (1920), 78 *ff.*

[2] *Cf.* no. 118. The effects of deforestation in Greece and Italy are well known, but no study of the ancient problem has yet been made.

[3] On the great estates there was greater opportunity for diversity of crops, and probably more scientific methods were followed there than on the small farms. The wealthier landowner could tide over a succession of bad years in certain crops where his poorer rival must succumb.

The lack of a cheap and adequate system of transportation was a most serious handicap to farmers living in inland districts. Grain is a difficult commodity to transport by land, and only those living within easy access to water-routes could hope to compete in distant markets. In the fourth century even the sea became practically closed to free commerce, partly because of the rigorous control of shipping by the government and partly because of civil wars. In the case of those farmers who were compelled to seek a market within the limits of their own township, prices were often controlled by the system of municipal charities whereby grain was purchased at a fixed price and distributed to the proletariat as a free gift, or at a nominal charge. Where transportation was difficult, the burden on the agricultural class was further increased by the heavy cost in time and labor of the liturgies imposed for convoying supplies for the army, or for the taxes paid in kind. The charges for the imperial post were particularly severe, especially in the later empire.

Municipalities not only suffered a loss in revenues from the decline in value of their public lands, but also lost large portions of their territory, either through enforced sales to discharge public indebtedness, or by confiscation. Some of the emperors regarded municipal ownership lightly, and rounded out their own estates or gave generous gifts to friends from this source[1]. Prosperou villages often gained municipal status, and were assigned a part of the territory of their mother city. Similar losses were incurred in the anarchy which prevailed during long periods of wars, when fortified villages usually became isolated and independent communities (*castra*, *oppida*). Some of these villages adopted the magistracies and forms of municipal administration, but the majority were governed by an imperial or municipal official such as a *curator*, *defensor*, or *magister vici*[2]. In consequence of the development of private patronage, as we have already seen, village-communities and private property passed out of the control of the municipalities. On the other hand, gifts and endowments in the early empire were often made by transferring landed estates to a commonwealth. The problem of making an endowment perpetual was a matter of genuine concern in the ancient world, and the method devised by Pliny, though expensive, probably represented the best policy which the jurists could devise in that age[3]. He also confesses the defect in the system which must have applied to all public leases, especially to those of short terms, namely, that the lessee was prone to exploit the land during the tenure of his contract, and to surrender the property at the expiration of the lease with its value seriously depreciated. A certain amount of territory was acquired through fines, but this source disappeared as the local magistrates lost judicial power. The estates abandoned by *curiales* could be added to the territorial possessions after three years, but it is doubtful if such additions were any gain[4]. If property could not be successfully managed under private ownership, it was likely to be still less profitable under public administration.

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[1] The *aurum tironicum* was later substituted, *cf. Journ. Rom. Stud.* 8 (1918), 26 *ff.*

[2] Heitland, *op. cit.* 336 to end, *passim.*

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[1] Nos. 90, 157. [2] Declareuil, *op. cit.* 310 *ff.* [3] Pliny, *Ep.* 7. 18.

[4] *Cod. J.* 10. 59. 1. The property of decurions who died intestate went to the curia in later times (*Cod. Th.* 5. 2. 1).

Shortly before the second Punic war a law was passed forbidding Roman senators to engage in foreign trade[1]. This legislation was destined to play an important part in the history of Roman agriculture, for the senatorial class was forced to invest in land. The possession of great estates soon became desirable in acquiring social prestige, and the growth of *latifundia* began. But the prosperity of an agricultural state rests on the welfare of the small independent farmers in the community. This class, as we have seen, gradually disappeared as a few acquired wealth and gained senatorial honors, while the vast majority, unable to meet the competition of great estates or foreign producers, either joined the urban movement, or became tenants. As land became concentrated in the hands of a few, who were usually exempt from municipal obligations by virtue of their title of imperial nobility, the burdens of taxation and liturgies for the remaining citizens were greatly increased. Since the *curiales* were usually landowners, their increasing charges became intolerable as their property steadily depreciated. In order to meet these charges, they were forced to exploit the land still more, and the process of deterioration was thus accelerated. Finally, many of them abandoned their property and fled[2]. Others sought to enter some vocation which would give them exemption from municipal charges. The emperors strove to check this movement by binding the *curiales* to their place of origin, and by forbidding them to enter any of the privileged professions. Since these measures were ineffectual, laws were passed requiring that the property of anyone who gained exemption should remain under the jurisdiction of the *curia*. The sole recourse left to the distressed curial, short of abandonment of his property and flight, was the right of disposing of his property by sale. This privilege was virtually withdrawn when it was decreed that the consent of the governor or the *curia* was necessary before any legal transfer could be made. Violations of the civil code were frequently punished by confiscation of property, which was added to the imperial estates. The municipalities accordingly suffered serious losses not only in the growth of private *latifundia*, but also in the development of imperial holdings. In the fourth and fifth centuries the Church also gained control of great estates by gifts and bequests. These estates were all exempt from municipal obligations, until Leo and Anthemius decreed that all curial property should remain under the jurisdiction of the *curia*, even if it passed out of the hands of the *curiales*[1].

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[1] Livy, 21. 63.

[2] *Cf.* pp. 113 *ff.*

The legislation pertaining to the *coloni* may be traced in part to the scarcity of labor as the supply of slaves decreased, but the depreciation of the soil was also an important factor[2]. In early Roman husbandry voluntary tenancy was a familiar practice, but when Rome acquired her eastern provinces, she found a system of compulsory tenancy developed which differed little from medieval serfdom. The latter institution gradually spread over the whole empire, probably from the example set by the imperial estates. As we have already seen, the decline in the fertility of the soil led large numbers of farmers to incur indebtedness, which could only be discharged by working out their obligations in an involuntary tenancy from which they or their children could not escape. The spread of private patronage also fostered the development of the colonate, as farmers placed themselves under the protection of some neighboring land-baron, and, in return for the security of life and property granted them, entered his service in a relationship which ultimately became that of a *colonus*[3]. The emperors were forced to hold these tenants in a form of perpetual leasehold in the effort to check the urban movement, and to secure an adequate supply of trained agricultural workers on imperial and private estates. By the beginning of the fourth century the *coloni* were bound to the soil in all parts of the empire, and in 357 it was further enacted that no land could be sold without the tenants attached to it[1]. A powerful instrument of oppression was put in the hands of the proprietors when they were held for the taxes of their tenants, and were authorized to collect them[2]. They were thus enabled to pass on the increasing weight of taxation to their *coloni*, who were thus reduced to greater poverty. While the laws provided means of redress in cases of over-exactions, it is doubtful if any tenant ever dared to enter an action against his landlord[3]. In the fourth century the *coloni* were reduced almost to the level of agricultural slaves.

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[1] *Cod. J.* 10. 19. 8 (468).

[2] For the history of the colonate, *cf.* especially Rostowzew, *Gesch. d. röm. Kol.* and Heitland, *Agricola*.

[3] Zulueta, *de patrociniis vicorum*.

Keen civic rivalries led to the construction of great public works to vie with those of neighboring towns without regard to economic advantages or necessities, and in this way the civic treasuries were so often exhausted that the emperors forbade such undertakings without the approval of the provincial governor. Wealthy citizens were usually not averse to providing temples, baths, or other public works as a memorial for themselves, or as a means of securing civic honors, but there was no glory in providing an endowment for maintenance, and this charge usually fell on the municipality. From the modern point of view the ancient city spent a disproportionate part of its revenues on the amenities of life, for example, games, theatres, baths, banquets, religious ceremonies, and the like, while little was used for the development of economic resources. The widespread system of municipal charities, whereby the urban poor were fed and amused, was also based upon a vicious policy, for it placed a premium on idleness, and fostered the movement from country districts to the towns. Moreover, the system of financial administration did not provide reserve funds from prosperous years against seasons of adversity. When hard times came, deficits were inevitable, and loans had to be made at ruinous rates of interest; and when a city once became involved in debt, escape was difficult.

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[1] *Cod. J.* 11. 48. 2 (357).

[2] *Cod. Th.* 11. 1. 14 (366).

[3] *Cf.* nos. 175, 180, 186, 190, 192.

The cost of defending and governing the Roman empire steadily increased, while its resources in men and in wealth were steadily diminishing. The long series of defensive wars, and the struggles for the imperial power in the third century drained the resources of the citizens. When the power of choosing the emperor passed into the hands of the soldiers, they were quick to take advantage of their privilege, and increases in pay were often demanded and granted[1]. Besides, the donatives were liberal and all too frequent in the quick succession of imperial rulers. Fresh levies of recruits were constantly required because of the steady and severe fighting, and the virile man-power was heavily drawn on, or if levies were not provided, an equivalent in money was exacted. A serious burden was imposed by the billeting of troops in towns and villages. The unfortunate residents suffered from their greed and licentiousness, and frequent appeals were directed to the emperor, but although stringent legislation was enacted to check the evil, the laws were not backed by any power which could enforce them, and the evil appears to have continued unabated[2].

In the gradual concentration of power in the hands of the central government, the number of bureaus was steadily increasing. The reorganization of Diocletian, by which the empire was divided into prefectures, dioceses, and small provincial units, while at the same time civil and military commands were separated, saved the empire from civil war and lessened the political power of militarism; but the number of officials was vastly increased, and the expense of administration was more than doubled with, unfortunately, no corresponding increase in efficiency[1]. There was no effective method of controlling the various departments, and the elaborate system of espionage, created partly through a genuine desire on the part of the emperors to control abuses, and partly as a result of the natural suspiciousness of an autocratic government, only served to create new methods of oppression and corruption. An edict of Constantine in 331 reveals the deplorable inefficiency of the central government in controlling abuses, and the widespread corruption of officials of all classes, not even excepting the provincial governors themselves[2]. The complaint that there were more people living upon taxes than paying them was undoubtedly an exaggeration, but there was a sufficient basis in fact to justify the statement[3]. In the fourth century the proportion of consumers and producers had become too nearly equalized for an agricultural commonwealth whose resources were declining, and which could not exchange its manufactured goods for food and raw materials from other nations in any appreciable quantity.

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[1] The notorious case of the auction of the imperial throne by the praetorian guard may be cited (Herodian, 2. 6. 6).

[2] It is recorded as one of the merits of Pescennius Niger that he restrained the exactions of the soldiery (*Hist. Aug. Pescennius*, 3). *Cf.* nos. 113, 139, 141, 142, 143, 144, 152, 162, 163; Rostovtseff, *Mus. Belge*, 27 (1923), 233 *ff.*

The depreciation of the currency which had begun under Nero was continued by successive emperors, ignorant of fundamental economic principles, as a means of replenishing their exhausted treasuries and of meeting the mounting expenses of bureaucratic administration. By the time of Aurelian gold had disappeared from circulation. The coins purporting to be silver contained about 5 per cent. of that metal. Where the tribute or dues were fixed, the depreciated currency meant a lightening of taxation, but when Aurelian made payments in debased coin and demanded taxes in another standard, he virtually multiplied the rates by eight. Diocletian devised a new system of taxation which applied to all provinces alike, and he abolished the tributes, which had been very unequally apportioned. Under the new arrangement the privileges of immunity, which free cities and Italian towns enjoyed hitherto, were revoked[1]. The taxes were laid on land, which was classified according to its use for growing grain, or producing oil or wine. The various units were called *iuga*, each of which represented the number of acres which one man could work, and in the case of vineyards or olive orchards were often rated by the number of vines or trees. Pasture lands were assessed according to the number of cattle. A head-tax was also imposed upon the agricultural laborers, men, women, and slaves. These taxes were levied in addition to those which had long been customary, the inheritance tax, customs dues, the *aurum coronarium*, the *aurum oblaticium*, and the *tironicum*. The taxes instituted by Diocletian were reckoned in the produce of the soil and not in coin. He thus extended the system which had already begun under Alexander Severus when salaries were paid in kind. While Diocletian's system of taxation was uniform in its application throughout the empire, and undoubtedly secured greater revenues, its injustice is apparent in that no discrimination was made between rich and poor *iuga*[2]. The assessment thus fell with undue severity upon the owner of unproductive farm land while his richer neighbor would escape with a comparatively light tax. The fact that the law-givers of the empire failed to devise an equitable system of taxation based on sound economic principles must be considered as a very important factor in the decline of the middle and lower classes of landowners, on whom the assessments fell with disproportionate severity.

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[1] *Cam. Med. Hist.* I. 24 *ff.*

[2] *Cod. Th.* I. 16. 7 (331).

[3] Lactantius, *de mort. persec.* 7. 3.

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[1] *Cf.* pp. 127 *ff.*

[2] Seligman, *Essays on Taxation, s.v. Regressive Taxation.*

The collection of taxes had been placed in the hands of local authorities ever since the system of farming out the revenues to the *publicani* had been generally abolished. The *decemprimi* and *decaproti* were responsible for the collection[1], and any deficiencies were made up by them, but there is no evidence that this system was continued after Diocletian. A rescript of Aurelian made the whole order of *curiales* responsible, after the third year, for the taxes on estates abandoned by their fellow-members. In case they were unable to bear the burden, the land was to be distributed among the various local villages and estates[2]. Constantine issued an edict forbidding decurions to be held for the taxes of others[3], but he later revived the law of Aurelian. Special imperial agents, called *exactores*, were deputed to assist in collecting arrears, but the principle of collective liability of the *curiales* seems to have been the rule. Not only were the *curiales* responsible for the taxes on their own lands, but also, at least in certain periods, for those on senatorial estates. This burden was particularly heavy, because powerful land-owners could not be compelled to pay taxes. An interesting illustration of this is found in a law of 396 which separated senatorial and curial property, but when in the following year it was found that the revenue from the former had decreased by half, the old custom was revived whereby the *curiales* were responsible for both[4].

In addition to the taxes on land and on the agricultural classes, whether free, serf, or slave, the liturgies, both municipal and imperial, were imposed upon *curiales* with increasing severity. The maintenance of the imperial post was most oppressive; and the confiscation of municipal revenues caused the transfer of many liturgies, which had hitherto involved only personal service, to charges on property[1]. All these burdens fell on the land-owners, and were fatal to the development of agriculture. The imposition of the plebeian head-tax on the farmer and his help, while the city proletariat was exempt, gave, as a direct result, great impetus to the urban movement. Normally, the shifting of the population from the country to the town would inevitably adjust itself by bringing grain to a price which would encourage the revival of farming, but other factors prevented it. The population of the whole empire was decreasing as the result of plagues and famine, of the wastage of civil and foreign wars, and of religious persecutions[2]. The birth-rate also was steadily declining, although the emperors sought to encourage large families by elaborate alimentary laws and by grants of special privilege to families of three or more children. The maintenance of a large standing army where soldiers served long terms, although marriage was permitted them by Severus, the rapid rise of Christianity with the consequent increase in the number of men entering religious orders, and the development of monasticism increased the number of people who lived in celibacy. Towns dwindled to villages and finally disappeared. Only the few favored by exceptional environment, or protected by secure walls of defence, survived the general decay.

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[1] *Dig.* 50. 4. 1, 18, 26.

[2] *Cod. J.* 11. 59. 1.

[3] *Cod. Th.* 11. 7. 2 (319).

[4] *Cod. Th.* 6. 3. 3 (396), 4 (397).

The growth of great estates and the disappearance of the small farmer deprived the local industries of their chief market[3]. Most of the estates had their own workshops where the simple tools and equipment were made, and much, if not all, of the food and clothing of the tenants was produced on the estate. There was little trade with the city, and this was carried on by primitive barter, since the depreciated coinage had no value as a medium of exchange. Foreign trade also declined as the local markets weakened. The division of the empire served to break trade-connections between the East and West, while the creation of the new capital at Constantinople put an end to many of the old trade-routes, and seriously affected the cities depending on them. The frontiers were frequently closed by wars, and trade with peoples outside the empire was broken off for long periods. The heavy burdens imposed upon ship-owners for the alimentation of the capitals strained the transportation system to the utmost. The cost of the government service was charged to the freight carried for private interests, and this practice served to discourage trade by sea. In the fourth century the feeling of imperial unity disappeared, and each province began to develop its own independent life as intercourse with other provinces ceased, and most of them became self-supporting and self-sufficient by necessity.

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[1] *Cf.* pp. 95 *ff.*

[2] Seeck, *Geschichte des Untergangs der antiken Welt*, I, 296 *ff.*

[3] Westermann, *op. cit.* 723 *ff.*

Methods of manufacture were never improved in the ancient world, either because an adequate supply of slaves removed any incentive to develop mechanical devices so long as labor was cheap, or because inventive genius was lacking, or because traditional methods could not be varied by conservative people[1]. The restrictions imposed upon guild members controlled the supply of workmen, but were fatal to the establishment of new industries and to intellectual or material progress on the part of the skilled worker. The influence of state and municipal monopolies and the imperial workshops for munitions, clothes, and other articles may have played some part in the economic life of the municipalities in which they were located, but it is doubtful if they were important factors.

While the worship of local deities undoubtedly contributed to the development of patriotism in the ancient city-state, the growth of scepticism and the influence of various philosophic systems had impaired the vitality of local cults long before the founding of the empire. The worship of the emperor was universal, and in this way may be said to have prepared the way for the adoption of Christianity, but it may be doubted if either of these cults had any real importance in municipal history in the imperial period. The religious observances of pagan magistracies may have deterred Christians from seeking positions in the local government, but the early Church drew its members largely from a class which was ineligible for office. In the later period, when the Church began to attract members of the wealthier class, there is ample evidence that Christians took their part in municipal government[1]. After the recognition of Christianity as an official religion of the state every member of the community stood on equal footing in regard to civic duties. When Julian sought to re-establish paganism, Christians "struck" in protest, but this is the only evidence of their unwillingness to take part in local affairs after Constantine[2].

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[1] Meyer, *Kleine Schriften*, 79 *ff.*; *R.E. s.v. Industrie.*

The legislation dealing with the relations of Christians to the local *curiae* begins with Constantine. When he exempted officers of the Church from municipal liturgies, the *curiales* at once sought to enter holy orders, more from a desire to escape civil obligations than from any sincere religious conviction. There must have been a large number of Christians in the curial order, for Constantine was soon obliged to issue an edict forbidding them to enter the service of the Church. Similar laws were frequently issued by later emperors, but the very frequency of such legislation shows that the laws were continually violated[3]. In this way the municipality suffered a loss of curial members, but a remedy was found, as we have already seen, by subjecting the property of *curiales* to the *curiae* when any member of the order took up a profession which gave him exemption from local obligations. Church estates also developed at the expense of the municipalities, and the burdens on the laity increased proportionately.

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[1] Declareuil, *op. cit.* 97 *ff.*

[2] *Cod. Th.* 12. 1. 50 (362).

[3] *Cod. Th.* 12. 1 *passim*; 16. 2 *passim*; *cf.* pp. 110 *ff.*

On the other hand, where the revenues of Church properties were distributed in local charities, there was no economic loss to the community.

While it may be true that Christianity turned the attention of its votaries to the future life rather than to the problems of the world about them, yet the identification of the municipality with the bishopric gave the Church a real interest in the preservation of the civic commonwealth. The development of the power of the bishop in judicial and administrative matters detracted from the influence of local magistrates, but the decline of municipal institutions began long before Christianity had become an important factor in the Roman empire.

The biological theory of the decline of nations has received considerable attention in recent years. The problem of race-mixture in the municipalities of the ancient world is a difficult study not only because of the lapse of so many centuries, but also because of the conflicting nature of the evidence. It is probable that most Italic and Greek stocks were themselves a mixture of different races. There is, however, little doubt that races of the Italic peninsula in the era of republican Rome were, in the course of time, replaced by other nationalities. Few of the old Roman families can be traced far down in the imperial period, and recent investigation has shown that the population of Rome in the imperial period was largely of foreign origin[1]. Many of the Italians went out to the provinces where they were ultimately submerged in the native population. Italy became peopled by provincials and aliens, many of whom had risen from slavery. In all provincial cities the liberal attitude of slave-owners led to the development of a large class of freedmen whose descendants were politically indistinguishable from the original members of the community. The development of the doctrine of *origo* in the imperial period tended to keep each city a self-contained unit as far as race-mixture is concerned. Thus when the older members of the curial stock died out, their places would usually be taken by more progressive members of freedman origin. From the economic point of view, such replacements could hardly be considered as a loss to the community. The large influx of Nordic races in the later empire was far from being a source of strength to the community from the admixture of a purer and more virile stock. We are inclined to believe that the blending of races had less importance than the economic factors which we have already described in the decline of municipal life. Not less important is the fact that in the ancient city-state intellectual progress was closely related to political freedom and independence. Under the empire the government of each municipality came into the hands of a narrow oligarchy, which in turn was closely supervised by a paternalistic state. In the general atrophy of political institutions, even when the municipalities were enjoying great material prosperity, we must find the explanation of the loss of intellectual vigor, and the decline of literature, art, science, and philosophy. The influence of a court based upon military power and inspired by military traditions was also unfavorable to the development of any of the arts. Christianity turned its back on pagan culture, and when the new religion was adopted by the wealthier classes, the system of education which was devised for Christian youths led to a general disregard for the heritage of the past.

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[1] Frank, *Am. Hist. Rev.* 21 (1916), 689 *ff.*

In the later empire, when Hellenic culture had spent its force, the revival of Orientalism seems to have contributed to the return to the ancient village-communities which are characteristic of the Byzantine empire[1]. In the West the barbarian invasions caused the submergence of many municipalities and a form of tribal government appeared in many districts. Here also the village-community was established and extended until it became a most important factor in the medieval period. It is, however, beyond the scope of this investigation to study the conflict of municipality, tribe, and village in the Middle Ages.

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[1] Ramsay, *The Tekmorian Guest Friends*, pp. 357–8.

To sum up briefly the principal causes which contributed to the decline of municipal life, economic decay was due primarily to widespread depreciation of the agricultural resources of the *territoria* through unscientific methods of farming and the exhaustion of the soil. The independent farmers who owned small estates constituted the most important class in the community, and they went down in the struggle for existence under unfavorable conditions of production and competition. Their farms were swallowed up in the *latifundia*, or great estates in private or imperial hands, or they were abandoned and became waste. Rural desolation was aggravated by the urban movement, and as wide areas lay uncultivated, malaria, famine, and plagues followed, each taking its toll of vital energy and of the productive power of the empire. Trades and industries in the towns depended largely on the purchasing power of the local markets, and as these declined factories became idle and trade with other provincial cities fell off. While the resources of the municipalities and of their citizens were steadily declining, financial burdens were steadily increasing. The necessity of supporting a highly organized bureaucracy and of maintaining a huge standing army, almost constantly engaged in costly defensive wars, proved too great a task for a nation whose resources were largely agricultural and were in process of exhaustion. An attempt was made to meet financial difficulties by successive depreciations of the gold and silver content in the currency, but finally the imperial coinage ceased to have any value, and trade was carried on by barter, while taxes were collected in kind. Finally, Diocletian attempted a reform in the currency and in the system of taxation. The latter, although it swept away certain inequalities of the old levy, fell with especial severity on the agricultural classes, and was economically unsound in its discrimination against the owners of less fertile land. The farmers were forced to exploit their lands for immediate returns, and the process of exhaustion was accelerated. In addition to the heavy taxes, the liturgies imposed for municipal and imperial service became more and more burdensome as the number of citizens liable to such duties not only decreased, but also found their capital resources declining. When the fixed charges approximated to or surpassed the income of *curiales*, many of them abandoned their estates, or sought some way of escape from their obligations. Thus it is that we hear of deserted *curiae*, abandoned towns, and the rapid decline of municipal institutions.

We have already traced the history of the transfer of judicial and administrative power from the municipalities to the central bureaucracy. To some extent this was due to economic causes, but imperial autocracy and local inefficiency played an important part. The whole tendency of Roman administration was to discourage democratic government in the cities, and to place all power in the hands of an oligarchy. Thus the vast mass of the people lost the political instincts which they had developed in their ancient city-states, which had played so important a part in the growth of intellectual vigor. Under the empire the local senatorial oligarchy, usually limited to a hundred men in each city, became an hereditary organization, and as its members were secured from all danger of overthrow by internal revolution, we must believe that they ultimately became dominated by personal interests. The wealthy senators gradually withdrew from the local organization as they became members of the imperial nobility. The remainder, secure in their hereditary privileges, squandered the resources of the city and oppressed the people. For this reason imperial appointments of *curatores* and *defensores* were made, and the transfer of legislative, judicial and administrative power to provincial governors and bureaucratic officials began and speedily developed. A vicious circle was established as the atrophy of municipal institutions led to increased imperial supervision, and bureaucratic control stifled political independence and initiative. Finally, the *curiales*, facing economic ruin, were reduced to the position of an imperial guild, whose sole purpose seems to have been the collection of taxes and the performance of liturgies. As the municipal governments lost political responsibility, political ideas, and political instincts, the vital spark of ancient civic life perished, and this factor, no less than the economic forces, had a powerful influence on the decline of municipal institutions, and reacted with deadly effect on the political vigor of the whole empire.

The paralysis of social institutions, manifested in the creation of a rigid caste-system, binding the *curiales*, members of guilds, and agricultural workers to their place of origin and to the station of life in which they were born, was due in large measure to economic and political factors. The emperors owning vast landed estates, and controlling industrial monopolies, favored legislation which bound the laborer to the farm or factory. While this policy provided a temporary solution of the labor problem, and served vested interests, the result was not only fatal, economically, to the development of new industries, but by depriving the individual of all power of initiative or free choice in his vocation, and of all incentive to material and intellectual progress, his powers of production were lessened; and the reduction of the bulk of the population to a condition of serfdom affected the cultural standards of the empire far more than did the barbarian inroads. In the effort to preserve the municipal organization, the *curiales* were bound by legislation similar to that governing the guilds and *coloni*. When the citizen became less important to the state than his property, the "sinews of the commonwealth," as the *curiales* were styled in some of the Codes, were also paralyzed.

It is futile to attempt to date the beginning of municipal decline. Many of the forces which combined to destroy civic prosperity and political vigor were already operative in the days of the republic. Their development was somewhat arrested and obscured by the expansion of the empire, and by the prosperity which followed the restoration of peace and security. But the newer provinces soon came under the influence of the forces of decay, and the weakness of the municipal units quickly reacted on the empire as a whole. This was clearly revealed in the civil wars and barbarian invasions of the age preceding Diocletian. Thereafter the history of municipal institutions as a vital element in the Roman empire draws rapidly to a close. The outward forms survived, but the breath of political life had departed.

## CHAPTER XV

# MUNICIPAL DOCUMENTS AND THEIR PREPARATION

FOR the purpose of interpreting correctly the documents on which our knowledge of the relations of the municipalities to the central government rests, it is important for us to have in mind the different forms which documents affecting the cities took, to know the procedure which was followed in receiving petitions from the municipalities or from citizens of municipalities, or inquiries from the governors of provinces, and to be familiar with the method of reaching decisions on the points involved, and of transmitting them to the persons or communities concerned. In such an inquiry it is convenient to consider the republic and empire separately, because the attitude taken by the government at Rome toward provincial communities and its method of dealing with them changed from the one period to the other. We shall limit our discussion to the period preceding the accession of Diocletian, because almost all our documents antedate his assumption of the imperial purple.

The documents under the republic with which we are concerned fall into three classes: *leges*, *senatus consulta*, and *edicta*. *Leges*, including under this head *plebis scita*, were enactments of the popular assembly under the chairmanship of a Roman official. Measures whose precise terms were specified in the bill submitted to the assembly, and which the people were asked (*rogatus*) to adopt, were styled *leges rogatae*[1]. When the people delegated to a magistrate or to several officials the right to draw up a measure, the enactment was called a *lex data*. Among the earliest of these measures were the *leges provinciarum*[1], which were prepared by commissions of ten senators. Municipal charters are commonly *leges datae*[2], and in one of them reference is made to the appointment of a commissioner to draw up the measure[3]. Less important matters affecting municipalities sometimes came before the senate[4], and not infrequently the decision of the senate was communicated to the community in question in the form of a letter from a magistrate[5].

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[1] Specimens of these laws preserved to us on tablets are the *lex Antonia de Termessibus* (no. 19) of 71 B.C. which is a plebiscite, and the *lex de Gallia Cisalpina* (no. 27) enacted between 49 and 42 B.C. For a full list of known *leges rogatae*, *cf.* Rotondi, *Leges publicae populi Romani*, 189–486.

Of the edicts which magistrates of a certain rank were empowered to issue, we are concerned primarily with the edicts of the governors of provinces, which have been described in another connection[6]. The originals of the *leges* or *senatus consulta* were kept in the *aerarium* at Rome in the care of the quaestors[7], and copies were sent to the communities concerned. The edicts of governors were also of course published in the provinces.

Under the empire we find the two classes of *leges* mentioned above, *senatus consulta*, and edicts, as well as the *constitutiones principum*. During the principate of Augustus and in the first half of that of Tiberius we find some *leges rogatae*[8], but before the close of Tiberius' reign the popular assembly ceased to play an important part in legislation[9]. It was summoned, however, to confer the tribunician power on the *princeps* and to define the functions of that office[1], and probably in this measure he was empowered to found colonies[2], to change the status of a colony or a *municipium*, to grant Latin rights to provincial communities, to give Latin communities Roman rights, and to grant municipal charters. One may say therefore that all the *leges* of the imperial period, with which we are concerned, were *leges datae*[3].

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[1] *Cf.* pp. 48 *ff.*

[2] Good specimens for the republican period are the *tabula Heracleensis* (no. 24) of 45 B.C. and the *lex coloniae Genetivae Iuliae* (no. 26) of 44 B.C. For a list of known *leges datae*, see Rotondi, *op. cit.* 487–507.

[3] *Cf.* no. 26, l. 159.

[4] *Cf.* nos. 5, 7, 10, and Bruns, 41.

[5] The *S.C. de Tiburtibus* (no. 7) takes the form of a letter from the praetor who presided over the senate. The *S.C. de Oropiis* (no. 18) of 79 B.C. is a letter of the consuls embodying the decree of the senate.

[6] *Cf.* pp. 50 *ff.*; no. 2.

[7] *Cf.* Servius on *Aen.* 8. 322; Livy, 39. 4. 8; Cic. *Phil.* 5. 4. 12.

[8] *Cf.* Rotondi, *op. cit.* 441 *ff.*

[9] Sporadic instances of the calling of the *comitia* for legislative purposes occur under Claudius (Tac. *Ann.* 11. 14) and Nerva (*Dig.* 47. 21. 3, 1). *Cf.* Liebenam, *R.E. s.v. comitia*, 711.

With the disappearance of the popular assembly, the importance of the senate as a legislative body increased for a time. This was a very natural result, and the prince may not have been unwilling to see the change come about, because the time was not yet ripe for him to make himself the sole law-making power in the state. A survey of the known decrees of the senate of the early empire confirms from the negative side the conclusion which we have just reached from the positive point of view in discussing the *leges datae*, for although we have a long list of senatorial decrees of this period of a legislative character[4], none of them, except the "discourses of the prince," deals with the relations of the imperial government to the *civitates*. It is clear therefore that measures affecting the cities emanated directly from the emperor, and that the *oratio principis in senatu habita* is important for our discussion. In the year 23 B.C. Augustus received the privilege of bringing up any matter in the senate which he chose to submit[5]. This right was later extended, so that the prince could make as many as five proposals, all of them to take precedence of motions made by other members of the senate[6]. In the absence of the emperor these messages, or "discourses of the prince," were read by a quaestor and adopted as decrees of the senate without change. Perhaps from the time of Hadrian no one but the emperor proposed a measure in the senate. From the close of the second century the jurists cite decrees of the senate as *orationes* rather than *senatus consulta*, and the language of command takes the place of conventional parliamentary forms[1]. Several of these "discourses" concern the municipalities[2]. The most noteworthy is the *oratio Claudii de iure honorem Gallis dando*[3]. Historically the "discourses of the prince" were related in their origin to the decrees of the senate, but later took legally the character of *constitutiones imperatorum*. The part which the senate played in the trial of provincial governors has been discussed elsewhere[4].

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[1] *Cf.* Mommsen, *St. R.* 3, 346, 349, n. 4.

[2] *Op. cit.* 2, 888 *ff.*

[3] *Cf.* the *leges Salpensana et Malacitana* (nos. 64 and 65) of A.D. 81–84.

[4] *Cf.* Karlowa, 1, 644–646 and Rudorff, *Röm. Rechtsgeschichte*, 1, 106–129.

[5] *Cf.* Cassius Dio, 53. 32.

[6] *Cf.* Herzog, 2, 691, n. 2.

If we turn to the *edicta*, in addition to the edicts of the emperor, which will be discussed later, we find *decreta* concerning provincial communities[5], especially to settle matters in dispute between them[6].

Along with the *leges datae* the most important measures affecting the cities were the imperial constitutions. Of the constitutions we read in the *Institutes*: quodcumque igitur imperator per epistulam constituit vel cognoscens decrevit vel edicto praecepit, legem esse constat: haec sunt, quae constitutiones appellantur[7]. This is essentially the definition of Ulpian, quoted later in the *Institutiones*[8]: Quod principi placuit, legis habet vigorem;...quodcumque igitur imperator per epistulam et subscriptionem statuit vel cognoscens decrevit vel de plano interlocutus est vel edicto praecepit, legem esse constat. Haec sunt quas vulgo constitutiones appellamus. These two lists agree in their inclusion of the *epistula*, *decretum*, and *edictum*. They differ only in the fact that Ulpian adds the *subscriptio*, a special form of the letter, and mentions the interlocutory decree along with the *decretum*. To these three classes of constitutions most scholars add the *mandatum*, and the term *rescriptum*, rather than *epistula*, is a more exact general term for a public letter of the emperor[1].

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[1] *Cf.* Girard, *Manuel élém. de droit rom.*$^5$ 57.

[2] For a list of the principal *orationes*, *cf.* Cuq, "Mémoire sur le consilium principis d'Auguste à Dioclétien" in *Mém. prés. par div. sav.* 9, 2, 424–426. See especially no. 11.

[3] *Cf.* no. 50 and Tac. *Ann.* 11. 24.

[4] *Cf.* pp. 135*ff.*, 165*ff.*

[5] *Cf.* nos. 58, 109, 165 and *CIG.* II, 2222.

[6] *Cf.* pp. 152*ff.*

[7] *Cf.* Justinian, *Inst.* 1. 2. 6.

[8] *Cf. Dig.* 1. 4. 1. 1. Gaius (*Inst.* 1. 5) writes "constitutio principis est, quod imperator decreto vel edicto vel epistula constituit."

Imperial edicts were similar in form to those issued by republican magistrates, but the right to issue them seems to have been conferred on Augustus by a special act about 19 B.C.[2] They were written in black letters on a white background[3], and displayed in Rome and in the provinces, in both Latin and Greek, when necessary. Sometimes it was provided that the edict should be engraved on a bronze[4] or marble tablet[5]. They were sometimes addressed to a community. In this case they were published unchanged[6]. At other times they were addressed to an imperial official or the governor of a province. Such edicts the official incorporated in a proclamation of his own[7]. A fair number of *edicta principum* are extant[8], and some of them concern the cities[1]. Technically edicts held good only during the reign of the emperor who issued them, but frequently by formal act or tacit observance they continued in force after his death[2]. The subject-matter of an imperial edict was introduced by the characteristic formula: *Imperator...dicit* or Αὐτοκράτωρ...λέγει[3]. After this phrase the first person is used. The date and place of composition are indicated, usually at the beginning, sometimes at the end of the document[4]. The *edicta*, which have been discussed above, like the *orationes*, and the *adlocutiones*[5], with which we are not concerned here, were addressed to the public. The other constitutions, viz. the rescript, the *decretum*, and the *mandatum*, were not necessarily intended for publication.

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[1] For discussions of the different classes of *constitutiones* and their nature, *cf.* Cuq, *op. cit.* 424–461; Mommsen, *St. R.* 2, 905 *ff.*; Karlowa, 1, 646–654; Krueger, *Gesch. d. Quellen u. Litt. d. röm. Rechts*, 92–100; Bruns-Pernice in Holtzendorff's *Encyclopädie d. Rechtswissenschaft*, 1, 143; Girard, *op. cit.* 58–61; Wilcken, *Hermes*, 55 (1920), 2 *ff.*; Haberleitner, *Philol.* 68 (1909), 283 *ff.* Haberleitner adopts the following classification: I (*a*) *edicta*, (*b*) *orationes*, (*c*) *adlocutiones*; II (*a*) *epistulae*, (*b*) *rescripta*, (*c*) *subscriptiones*; III (*a*) *decreta*, (*b*) *interlocutiones*. Faass, *Archiv für Urkundenforschung*, 1 (1908), 221 *f.*, finds one hundred and sixty-four imperial constitutions extant in epigraphical form. Of these one hundred and twenty-one are in Greek and forty-three in Latin. The most prolific emperors are Pius, Hadrian and Severus, with thirty-two, twenty-six, and sixteen respectively to their credit. Of the one hundred and forty epigraphical constitutions which can be dated, one hundred and twenty-three antedate Diocletian.

[2] *Cf.* Herzog, 2, 151, n. 1.

[3] *Cf.* Livy, 1. 32. 2; 9. 46. 5.

[4] *Cf. Cod. Th.* 2. 27. 1, 6; 14. 4. 4; no. 49.

[5] *Cf.* no. 51.

[6] *Cf.* no. 49.

[7] *Cf.* no. 165.

[8] Rudorff, *op. cit.* 1, 132–136; Cuq, *op. cit.* 456–459.

Rescripts were sent in reply to the inquiries (*relationes*, *consultationes*) of provincial governors or other officials or in answer to the petitions (*preces*, *libelli*) of individuals or communities. Replies to officials usually took the form of independent letters (*epistulae*). In answering private persons or communities the emperor either appended his answer to the request or made notes upon it. His reply in the first case was called a *subscriptio*, in the second, *adnotationes*. The letters which passed between Pliny and Trajan furnish us with the best specimens to be found in literature of the inquiries of an official and the replies of the emperor. There are extant several important epigraphical rescripts dealing with municipal affairs[1]. Many imperial letters are of course to be found in the Justinian Code[2].

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[1] *Cf.* nos. 33, 49, 51; Gaius, *Inst.* 1. 33, an edict of Nero conferring the right of Roman citizenship upon any Latin, who, having a fortune of 200,000 sesterces, devotes half of it to the construction of a house in Rome; *Dig.* 50. 7. 5, 6, an edict of Vespasian forbidding cities to send a deputation of more than three members to Rome; Pliny, *N.H.* 3. 3. 30, an edict of Vespasian conferring the *ius Latii* on Spain; Gaius, *Inst.* 1. 93, defining the rights of *peregrini* admitted to citizenship; *Dig.* 50. 4. 11, an edict of Pius prescribing the *cursus honorum* for cities; *Dig.* 1. 5. 17, Caracalla's edict of A.D. 212 (*cf.* no. 192).

[2] *Cf.* no. 33.

[3] *Cf.* no. 49 and Bruns, 68, 69; *Cod. J.* 3. 3. 2; 3. 11. 1; 7. 62. 6.

[4] *Cf.* no. 49 and Bruns, 94; *Cod. J.* 10. 61. 1.

[5] *Cf.* for instance, *Hadriani adlocutiones ad exercitum Africanum*, *CIL.* VIII, 2532 = Dessau, 2487.

An *epistula* opened with the name and titles of the emperor in the nominative and the name of the addressee in the dative, sometimes with *salutem* or *salutem dicit* added[3]. This part of the letter is called the *inscriptio*. At the end of the letter there is usually a word of greeting, and an indication of the date and place of composition[4]. *Rescripsi* or *scripsi* found in *subscriptiones* is in the hand of the emperor[5], and *recognovi*, which appears at the end of them[6], is probably the counter-signature of the official in charge of the bureau and certifies that the document correctly represents the decision reached in the case[7]. *Proposita*, which is common at the end of certain rescripts up to A.D. 291[8] and rare thereafter, indicates the date and place of publication[1]. Latin was the language regularly employed in rescripts, but some of those sent to Greek lands were in Greek[2]. Rescripts might confer a privilege or immunity on an individual or community, or decide an administrative matter, or they might settle a legal question. The influence of a letter of the former kind did not usually extend beyond the person or corporation concerned. Letters of the second sort furnished precedents or legal principles for the future. Judicial *epistulae* increase in number with Hadrian. The increase may well be due to the issuance of the *edictum perpetuum* by Hadrian, and the consequent necessity of consulting the emperor on doubtful points[3].

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[1] *Cf.* nos. 61, 63, 151. The most complete specimens of *subscriptiones* on municipal matters are nos. 111, 139, Bruns, 84, and *CIL.* VI, 3770. No. 139, after certain introductory formulae, contains the *preces* of the Scaptopareni, followed by the decision of the emperor. For an analysis of no. 154, see the commentary on that inscription. For the character of the subjects covered in an *adnotatio*, *cf.* Seeck, *R.E.* 1. 382 *f.*

[2] On *relationes* and *consultationes*, *cf.* especially *Cod. J.* 7. 61 and 62. For references to *subscriptiones*, *cf. Cod. J.* 7. 43. 1; *Dig.* 4. 8. 32, 14.

[3] *Cf.* nos. 61, 63.

[4] *Cf.* no. 61.

[5] *Cf.* no. 111, col. IV, l. 8; no. 139; Bruns, 84.

[6] *E.g.* nos. 111, 139, and Bruns, 84.

[7] *Cf.* Preisigke, *Die Inschr. v. Skaptoparene*, especially p. 63. The term *recognovi* has given rise to much discussion. Mommsen holds (*Ges. Schr.* 1, 479; 2, 179 *ff.*) that the memorandum, as prepared by the official, and the final document, were laid before the emperor. Upon the former he wrote *rescripsi*, on the latter *recognovi*. Karlowa (*Neue Heidelberger Jahrb.* 6, 214 and *Röm. Rechtsgesch.* 1, 652, n. 1) thinks that the words attest the correctness of the document, when compared with the official copy kept in the archives. *Cf.* Brassloff, *R.E.* 6, 207 *f.*, Krüger, *Gesch. d. Quellen u. Litt. d. röm. Rechts*, 96, Preisigke, *op. cit.* 4–12, and Wilcken, *Hermes*, 55 (1920), 55, 56, n. 3.

[8] *Cf.* for instance Bruns, 87, 88 and Krüger, *op. cit.* 96, n. 43. Wilcken (*op. cit.* 14 *ff.*) thinks that the *propositio* applied to *subscriptiones*, but that *epistulae* were only published on order of the emperor, or the magistrate receiving them.

As we noticed above, the jurists speak of three classes of constitutions, viz. edicts, rescripts, and *decreta*. In the early period, however, the expression *decretum principis* was applied to any announcement of the emperor's will[4]. In this early wide sense, therefore, it included all classes of imperial constitutions. In the narrower meaning which it commonly took in the later period, it is applied to the emperor's decision on judicial questions submitted to him in the first instance or on appeal. To the list of constitutions given by the ancient jurists, modern scholars commonly add the *mandata* or individual instructions given to governors and other officials, by which they were to be guided in the administration of their offices. Naturally in course of time a somewhat fixed set of principles or methods of government in the provinces had developed, so that a large part of the mandates given to one governor was identical with that of another governor. The practice of sending out the governor of a province with instructions goes back to the republican period[5]. The mandates were of great importance to the municipalities, because they dealt especially with police regulations, criminal law, and the competence of a governor[1]. Mandates, for instance, forbade cities to make grants of money[2], instructed governors to apprehend and punish culprits wrongfully released by municipal magistrates[3], and ordered them to send to the emperor for trial a decurion when charged with an offense which was punishable by exile or death[4].

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[1] *Cf.* Karlowa, 1, 651; Brassloff, *R.E.* 6, 208; Preisigke, *op. cit.* 65.

[2] *Cf. e.g. Dig.* 5. 1. 37; 5. 1. 48; 48. 3. 3; 50. 6. 6, 2.

[3] *Cf.* Girard, *Manuel élém. de droit rom.* 59.

[4] *Cf.* Hesky, *R.E.* 4, 2289. A document which some scholars style a *decretum* is called by others a *rescriptum*.

[5] *Cf.* Krüger, *op. cit.* 99, n. 59.

If we turn now from a consideration of the documents themselves to their preparation, we notice that for a long time under the republic the senate directed the foreign policy of the Roman state. It appointed a commission of senators to draw up the *lex provinciae*[5]; it received requests from cities for charters[6], for a recognition of their independence[7], for the granting of privileges[8], and the redress of grievances[9]. With the coming of the new *régime*, the *princeps* took over the provinces in which an army was needed, appointed his own financial representative in senatorial provinces, and exerted a great moral influence over all the provinces. The growing importance of the "discourses of the prince" must also have lessened the authority of the senate in foreign affairs. Naturally, therefore, inquiries and petitions from abroad came to be addressed more and more frequently to the emperor. In making his replies he needed helpers and advisers. As foreign questions grew in importance and numbers, the business was systematized, bureaus were established, and a board of imperial counsellors was organized. These bureaus were known as the *officia* or *scrinia a rationibus*, *ab epistulis*, *a libellis*, *a memoria*, *a studiis*, and *a cognitionibus*[10]. The officials *a rationibus* had charge of imperial finances, supervised, for instance, the collection of taxes, appropriations for the army, for *frumentationes*, and for the construction of public works. The officials *ab epistulis* prepared and despatched imperial replies to the letters of governors and generals, and drew up instructions for imperial officials. The bureau *a libellis* had charge of the petitions addressed to the emperor by private persons or by communities, and concerned itself primarily with legal questions arising between subjects, or subject communities, and between them and the state. The bureau *a memoria*, which is not mentioned until rather late, assisted the emperor in cases requiring immediate action. It probably set down in writing the official speeches and oral decisions of the emperor and *adnotationes*. The department *a studiis* grew out of the bureau *a libellis* and perhaps investigated questions outside of administration and law, such as those of religion. The officials *a cognitionibus* took up minor judicial questions, perhaps in civil cases only, which were not laid before the *consilium*.

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[1] For a list of items from certain *mandata*, *cf.* Cuq, *op. cit.* 460 *f.*

[2] *Cf.* Plin. *Epp. ad Trai.* 111.

[3] *Dig.* 48. 3. 10.

[4] *Dig.* 48. 19. 27, 1, 2.

[5] *Cf.* pp. 48 *ff.*

[6] Cic. *in Verr.* 2. 122.

[7] *Cf.* no. 5.

[8] Ditt. *Syll.*³ 601.

[9] *Cf. Bell. Afr.* 97.

[10] For the development of these bureaus, *cf.* Hirschfeld, 29 *ff.*, 318 *ff.*; Cuq, *op. cit.* 363 *ff.*; Karlowa, 1, 544 *ff.*; Rostowzew, *R.E.* 6, 210 *ff.*; von Premerstein, *R.E.* 4, 220 *ff.*

Matters which were too important to be submitted to a bureau came before the *consilium principis*, which owed its definite organization to Hadrian[1]. It was made up of certain trained jurists, receiving salaries, and known as *consiliarii Augusti* and *adsumpti in consilium*, and the *amici* and *comites* of the emperor who had no fixed salary[2]. The emperor presided and rendered the decisions. A vote was taken, usually by ballot, but the emperor was not bound by the opinion of the majority.

It remains for us to consider briefly the method of preparing, publishing, and preserving state documents. An edict was of course drawn up by the magistrate issuing it. *Senatus consulta* under the republic were put into their final form by a committee of senators[3], and the method of bringing bills before the popular assembly is so well known as to need no comment here. Important measures of any one of these three classes were engraved on wood, stone, copper, or bronze, displayed where they would be seen by people concerned, and copies of them kept in the temple of Saturn or in some other depository in Rome[1]. With the centralization of foreign affairs in the hands of the emperor, a large number of departments was organized, as we have already noticed. We can see in some detail the course which would be followed by a petition or an inquiry from a provincial community or a private person[2]. The request might come through the governor of a province[3], or it might be delivered at Rome in person or by a messenger[4]. On arrival at Rome it went to the proper department, and from there, if an important document, to the *consilium*. The emperor in the *consilium* gave his decision in general terms; and the appropriate department put the reply in proper form. The head of the department wrote *recognovi* upon it to indicate that it conformed to the emperor's decision and met the requirements in the case, and to attest its authenticity the emperor set down on it the word *rescripsi* or *scripsi*.

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[1] *Hist. Aug. Hadr.* 18. 1.

[2] On the *consilium principis*, *cf.* Cuq, *op. cit.* 328 *ff.*; Hirschfeld, 339 *ff.*; Mommsen, *St. R.* 2, 989 *ff.*; Seeck, *R.E.* 4, 926 *ff.*; Herzog, 2, 756 *ff.*

[3] *Cf.* the *S.C. de Bacchanalibus* (Bruns, 36) and *S.CC. de ludis saecularibus* of 17 B.C. (Bruns, 46).

In cases of minor importance the facts and precedents were collected, and a tentative answer for the approval of the emperor was drawn up in a department. The answer might take the form of an *epistula*, or independent letter, sent alone[5], or accompanied by the *libellus*[6], or the form of a *subscriptio*[7] or of *adnotationes*. It might be sent directly to the inquirer[8], or to him through an imperial official[9] or some representative of the supplicant[10]. Sometimes it reached the petitioner in the form of a copy made at Rome by such a representative[1]. A brief analysis of one of the documents in which the last method of procedure was followed may illustrate many of the processes outlined above[2]. In Gordian's rescript we have at the beginning the words *Bona fortuna* prefixed by the Scaptopareni when the rescript was engraved. Then come the date and place at which the copy of the original in the archives was made: *Fulvio . . . scripta sunt.* It is made at the instance of Aurelius Pyrrhus, the representative of the Scaptopareni, whose name and position are given. Immediately thereafter stand the *preces* of the Scaptopareni, followed by the decision of the emperor (*Imp . . . debeas*). The emperor has written *rescripsi* and the director of the department, *recognovi*. In place of the names of the witnesses to the copy the Scaptopareni have had the word *signa* engraved. The original document in the archives, therefore, began with the *preces* and closed with *recognovi*.

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[1] *Cf.* Dziatzko, *R.E.* 2, 561 *f.*; Mommsen, *St. R.* 3, 418 *f.*; Kubitschek, *R.E.* 1, 287 *ff.*

[2] *Cf.* Preisigke, *op. cit.* 44 *ff.*; Wilcken, *Hermes*, 55 (1920), 38 *ff.*

[3] Pliny, *Epp. ad Trai.* 58, 59.

[4] The protest from the Scaptopareni (no. 139) was delivered by a certain Aurelius Pyrrhus, acting as an intermediary.

[5] *Cf.* no. 61.

[6] Pliny, *Epp. ad Trai.* 59.

[7] *Cf.* no. 139.

[8] *Cf.* nos. 59, 61, 63.

[9] Pliny, *Epp. ad Trai.* 59.

[10] *Cf.* no. 111.

Interesting facts concerning a particular inscription may often be learned from an examination of it. An imperial letter sent directly to a community was usually addressed to the magistrates, senate, and people[3], but sometimes to the magistrates and decurions only[4]. Occasionally reference is made to the deputies who brought the petition[5], or to the intermediary at Rome who presented it[6], or the deputy records the fact that he has delivered the emperor's reply to the local magistrate[7]. In one letter we are informed that it was written in Latin and translated into Greek[8]. This letter, intended for certain troops, was published in their winter quarters[9], and still another the *duoviri* had cut on stone[10]. In those which have been copied from the originals in the archives, the copyist sometimes notes the change from one handwriting to another in the original[1].

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[1] *Cf.* no. 139.

[2] This analysis of no. 139 is based on Preisigke, *op. cit.* 74, 76, 78–79 and Wilcken, *op. cit.* 38 *ff.* See also the literature cited in note 7, p. 238.

[3] *Cf.* no. 130.

[4] *Cf.* no. 61.

[5] *Cf.* no. 61.

[6] In no. 111 a certain Lurius Lucullus.

[7] *Cf.* no. 83.

[8] *Cf.* Riccobono, no. 66.

[9] *Ibid.*

[10] *Cf.* no. 61.

All *subscriptiones* were publicly displayed, as well as those *epistulae* whose publication the emperor or the magistrate receiving them should order. Those concerning provincial communities were displayed both in Rome and in the community concerned[2]. They were also preserved in the *Commentarii principum*[3], being assigned to different sections according to their contents. Inside these sections they were probably grouped under the several provinces, with subsections for each year[4]. Perhaps *undevicensimus* in the rescript of Pius to the Smyrnaei[5] indicates that this document is No. 19 in the roll for a certain quarter of the year[6]. With certain comparatively unimportant changes made in the organization and management of the archives in the period after Diocletian[7] we are not concerned here[8].

In Egypt the imperial will is expressed by means of the *oratio*[9], *edictum*[10], *rescriptum*[11], and *epistula*[12]. The language employed in these documents is usually Greek, but Latin is also found. Edicts were commonly promulgated from Alexandria, but were also issued from other cities[13]. Imperial rescripts, as a general rule, were forwarded to the prefect and published in Alexandria. In a few cases they were sent direct to a local magistrate, although it is probable that a copy was also sent to the prefect. Imperial *epistulae* were sent to private citizens of Greek or Roman birth. Copies of these documents are comparatively rare. The prefect also issued edicts in Greek. They were published in Alexandria and usually forwarded with an *epistula* to the *strategi* with instructions to post them in an appropriate public place[1]. In one instance local magistrates append their signatures to indicate their cognizance of the document, which seems to have been circulated for this purpose[2]. In another case the magistrate takes oath that the document had been published by him as directed[3]. It is evident that edicts of the emperor and of the prefects and their rescripts were widely known to the public, since copies are found throughout Egyptian nomes and they are frequently cited by the natives. The minor officials of the bureaucracy also issued their instructions in writing, usually in the form of *epistulae* or *ἐπιστάλματα*.

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[1] *Cf.* no. 111, col. IV, l. 9.

[2] *Cf.* Preisigke, *op. cit.* 64 *ff.*; Wilcken, *Hermes*, 55 (1920), 1–42.

[3] von Premerstein, *R.E.* 4, 737 *ff.*

[4] *Cf.* Preisigke, *op. cit.* 72.

[5] *Cf.* Bruns, 84.

[6] *Cf.* Wilcken, *op. cit.* 40.

[7] For these changes *cf.* Lécrivain, *Dict. Dar.* 4, 845 *f.*

[8] There is little definite information to be had about the archives, or *commentarii*, of the western municipalities except that which is to be found in two or three inscriptions (*e.g. CIL.* VIII, *S.* 15497; XI, 3614). *Cf.* Kubitschek, *R.E.* 1, 298 *f.* For the Greek cities *cf. Jahreshefte d. öst. archäol. Inst.* 7, *Beiblatt*, 44; 16, 17 *ff.*, 270, and especially, Wilhelm, *Beiträge zur gr. Inschr.* 258 *ff.* By the time of Justinian town records were no longer kept with any care, *cf. Novellae*, XV, *praef.* "cum (defensores) nullum habeant archivum, in quo gesta apud se reponant, deperit quod conficitur."

[9] Mitteis, *Chrestomathie*, 370.

[10] Mitteis, *op. cit.* 372, 377; Ditt. *Or. Gr.* 664, 665.

[11] Mitteis, *op. cit.* 375, 376; Wilcken, *Hermes*, 55 (1920), 1 *ff.*; Bruns, 91.

[12] Wilcken, *Chrestomathie*, 153, 158; no. 189.

[13] No. 195.

Since the bureaucracy in Egypt was highly developed and the number of secretaries very large, the task of caring for the official records must have been very serious. That the archives were not always properly housed is evident[4], and very little can be learned about the method of providing for the municipal or village records. None of the numerous buildings or offices recorded in the papyri can with certainty be ascribed to purely municipal purposes[5]. Possibly, since the relation of state and municipality was so close, the records of both may have been combined.

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[1] Nos. 162–165.

[2] Wilcken, *Chrestomathie*, 13.

[3] *P. Fay.* 24.

[4] *Archiv für Papyrusforschung*, 6, 100 *ff.*

[5] The more important buildings for preserving records in Egypt are the following: *γραφεῖον*, *ἀγορανομεῖον*, *μνημεῖον*, *ἀρχεῖον*, *γραμματοφυλάκιον*, *χωρικὴ βιβλιοθήκη ἐν τῶι πρυτανείωι*, *δημοσία βιβλιοθήκη* and *βιβλιοθήκη ἐγκτήσεων*. *Cf.* Mitteis, *Chrestomathie*, 188; *Grundzüge*, 78 *ff.*

# PART II

# I. MUNICIPAL DOCUMENTS IN GREEK & LATIN FROM ITALY AND THE PROVINCES

# SIGLA

## LATIN INSCRIPTIONS:

Italics indicate the restoration of a lacuna, or minor corrections in the text.

⟨ ⟩ indicate ancient interpolations in the text.

( ) indicate the expansion of an abbreviation.

## GREEK INSCRIPTIONS:

[ ] indicate the restoration of a lacuna.

⟨ ⟩ indicate an erasure by the editor.

( ) indicate the expansion of an abbreviation or an addition by the editor.

## GREEK PAPYRI:

[ ] indicate the restoration of a lacuna.

[[ ]] indicate an erasure by the scribe.

⟨⟨ ⟩⟩ indicate an erasure by the editor.

⟨ ⟩ indicate additions by the editor.

( ) indicate the expansion of an abbreviation.

# I. MUNICIPAL DOCUMENTS IN GREEK AND LATIN FROM ITALY AND THE PROVINCES

## 1. EPISTULA FLAMININI AD CHYRETIENSES

(196–194 a. Chr.)

Viereck, *Sermo Graecus*, 1; *IG.* IX, 2, 338; Ditt. *Syll.*$^3$ 593; *CIG.* 1770.

*Τίτος Κοΐνκτιος, στρατηγὸς ὕπατος Ῥωμαίων, Χυρετιέων | τοῖς
ταγοῖς καὶ τῆι πόλει χαίρειν. Ἐπεὶ καὶ ἐν τοῖς λοιποῖς πᾶσιν |
φανερὰν πεποήκαμεν τήν τε ἰδίαν καὶ τοῦ δήμου τοῦ Ῥωμαίων |
προαίρεσιν ἣν ἔχομεν εἰς ὑμᾶς ὁλοσχερῶς, βεβουλήμεθα καὶ || ἐν 5
τοῖς ἑξῆς ἐπιδεῖξαι κατὰ πᾶν μέρος προεστηκότες | τοῦ ἐνδόξου,
ἵνα μηδ' ἐν τούτοις ἔχωσιν ἡμᾶς κατα|λαλεῖν οἱ οὐκ ἀπὸ τοῦ
βελτίστου εἰωθότες ἀνα|στρέφεσθαι. Ὅσαι γάρ ποτε ἀπολείπονται
κτήσεις | ἔγγειοι καὶ οἰκίαι τῶν καθηκουσῶν εἰς τὸ
δημόσιον || τὸ Ῥωμαίων, πάσας δίδομεν τῆι ὑμετέραι πόλει, | 10
ὅπως καὶ ἐν τούτοις μάθητε τὴν καλοκαγαθίαν ἡμῶν | καὶ ὅτι
τελέως ἐν οὐθενὶ φιλαργυρῆσ[α]ι βεβουλήμεθα, | περὶ πλείστου
ποιούμενοι χάριτα καὶ φιλοδοξίαν. Ὅσοι μέν|τοι μὴ κεκομισμένοι
εἰσὶν τῶν ἐπιβαλλόντων αὐτοῖς, || ἐὰν ὑμᾶς διδάξωσιν καὶ 15
φαίνωνται εὐγνώμονα λέ|γοντες, στοχαζομένων ὑμῶν ἐκ τῶν
ὑπ' ἐμοῦ γεγραμ|μένων ἐγκρίσεων, κρίνω δίκαιον εἶναι ἀποκαθίστασ|θαι
αὐτοῖς. | Ἔρρωσθε.*

From Chyretiae. This is the earliest document from inscriptional sources which deals with the relations of Rome and the Greek states. For this reason we have included it here, although Greece was not subject to Rome at this time. The Aetolians as allies of Rome had captured and sacked the city of Chyretiae in 200 B.C. (Livy, 31.41.5). The property of the partisans of Philip in the city after the battle of Cynoscephalae was confiscated, and became part of the public property of Rome. When war with Antiochus threatened, Flamininus instituted a milder policy towards the Greek cities. Accordingly he restored to the Chyretiaeans all lands confiscated from their citizens still held by the Roman state. The restoration was made to the city with the right of reinstating the former owners if they satisfied the magistrates of the justice of their claim. While the tone of the letter is that of one desirous of securing the goodwill of the Greeks, the terms laid down for the restoration of the land to the former owners indicate the attitude of a master towards a subject people. It is also evident that, in settling the affairs of Chyretiae after the war with Philip, Flamininus favored the pro-Roman parties in the state (*cf.* pp. 69 *f.*; Rostowzew, *Gesch. d. röm. Kol.* 286).

### 2. DECRETUM PROCONSULIS HISPANIAE ULTERIORIS

(189 a. Chr.)

*CIL.* II, 5041; Dessau, 15; Bruns, 70; Riccobono, p. 248.

L. Aimilius L. f. inpeirator decreivit, | utei quei Hastensium servei | in turri Lascutana habitarent, | leiberei essent; agrum oppidumqu., || quod ea tempestate posedisent, | item possidere habereque | iousit, dum poplus senatusque | Romanus vellet. Act. in castreis | a. d. XII k. Febr.

A bronze tablet found in 1866 on the probable site of Lascuta in Spain, now in the Louvre. Paullus probably received the title of imperator, which he bears in this inscription, in consequence of his victory over the Lusitani in 190 B.C. (*cf.* Livy, 37. 57. 5). Since he probably left Spain in the autumn of 189 B.C., and since this decree is dated Jan. 19, the date of the inscription is probably 189 B.C. The people of the turris Lascutana were made free in the sense that they were taken from under the control of the Hastenses. Control of them was now transferred to the Romans. There are no cases known of *attributi* attached to communities which were not autonomous; *cf.* Mommsen, *St. R.* 3, 766. The Lascutani do not acquire full right of ownership to their land, but hold it at the pleasure of the Roman people and senate; *cf.* Mommsen, *St. R.* 3, XVII, n. 1; Karlowa, 1, 447. The order of the words *poplus senatusque*, as opposed to the imperial order, *senatus populusque*, is significant.

## 3. EPISTULA SPURI POSTUMI, PRAETORIS, AD DELPHOS

(189 a. Chr.)

Ditt. *Syll.*$^3$ 612; Viereck, *Sermo Graecus*, 10.

. . . . . . ους καὶ . . . | . . . [περὶ τῆς πόλεως ἐλευθερί]ας καὶ τοῦ ἱερο[ῦ ἀσυλίας . . .]

(*vacant versus duo*)

Σπόριος Ποστόμιος Λευκίου υἱός, στρατηγὸς Ῥωμαίων, τῶι κοι[νῶι τῶν Δελφῶν χαίρειν. Οἱ παρ' ὑμῶν ἀποσταλέντες πρεσβευ]|ταὶ Βούλων, Θρασυκλῆς, Ὀρέστας περὶ τῆς ἀσυλίας τοῦ ἱεροῦ κα[ὶ τῆς πόλεως διελέγησαν φιλοτιμίας οὐθὲν ἐλλείποντες] | καὶ περὶ τῆς ἐλευθερίας καὶ ἀνεισφορίας ἠξίουν, ὅπως α[ὐτόνομοι καὶ ἀτελεῖς ὦσιν ἥ τε πόλις καὶ ἡ χώρα τῶν Δελφῶν]. | Γινώσκετε οὖν δεδογμένον τῆι συγκλήτωι, τό τε ἱερὸν το[ῦ Ἀπόλλωνος καὶ τὴν πόλιν ἄσυλον εἶναι, ἀνεισφόρητον δὲ καὶ] || τὴν πόλιν τῶν Δελφῶν καὶ τὴν χώραν, καὶ δ[ιὰ παντ]ὸς αὐτονό[μους εἶναι τοὺς πολίτας . . . . . . . . . . . . ἐλευθέρους ὄν]|τας καὶ πολιτεύοντας αὐτοὺς καθ' αὑτ[οὺς . . καὶ] κυριεύο[ντας . . . . τό τε ἱερὸν καὶ τὸ τέ]|μενος, καθὼς πάτριον αὐτοῖς ἐξ ἀρχῆς [ὑπῆρχεν· ἵνα] οὖν εἴδ[ητε, στέλλομεν ὑμῖν ἀντίγραφον].

(*vacant versus duo*)

Πρὸ ἡμερῶν τεσσάρων νωνῶν Μαΐ[ων Σπόριος Ποστόμιος Λευκίου υἱός, στρατηγὸς ἐν κομετίωι (?) συνε]|βουλεύσατο τῆι συγκλήτωι· γραφ[ομένωι παρῆσαν ὁ δεῖνα τοῦ δεῖνος . . ., ὁ δεῖνα τοῦ δεῖνος . . .], | Γάϊος Ἀτίνιος Γαΐου, Τεβέριο[ς Κλαύδιος . . . . . . περὶ ὧν Δελφοὶ λόγους ἐποιήσαντο, περὶ ἱεροῦ] | ἀσύλου, πόλεως ἐλευθερί[ας, χώρας ἀνεισφορήτου καὶ αὐτονόμου, περὶ τούτου τοῦ πράγματος οὕτως] || ἔδοξεν· καθὼς πρότερο[ν Δελφοῖς ταῦτα ὑπῆρχεν καὶ Μανίωι Ἀκιλίωι ἔδοξε, τούτωι τῶι κρίματι ἐμμέ]|νειν ἔδοξεν.

(*vacant versus duo*)

[Λ]εύκιος Φούριος Λ[ευκίου υἱός, στρατηγὸς . . . .]
[Δε]λφῶν ἐ[λευθερίας . . . . ?]

From Delphi. After the Aetolian domination was ended the Romans displayed great kindness to the Delphians. We publish one

of a series of documents which bear upon the relations of Rome and Delphi (Ditt. *Syll.*$^3$ 607–615, 821, 822, 825–827).

In settling the affairs of Delphi Manius Acilius defined the limits of the *territorium*, a settlement which was later a subject of dispute (Tod, *International Arbitration*, nos. 23, 26). He also confiscated the lands of Aetolians and Locrians resident in this area and gave them to the city and to the temple (Ditt. *Syll.*$^3$ 610). The Delphians had difficulty in dispossessing the owners and appealed to Rome. The ambassadors were slain on their return journey, and a new embassy was sent to complain of the outrage and to secure a copy of the senatorial action on their former request. The answer of the senate is given in the letter of the consul (Ditt. *Syll.*$^3$ 611). The Delphians are permitted to expel those aliens whom they choose, and may allow others to remain who are amenable to the laws. It is evident that the Delphians were afraid of the vengeance of the Aetolians for the expulsion of their fellow-citizens, and desired the support of Rome before taking action. When the war was ended the Delphians sent another embassy to Rome to secure the confirmation of the acts of Manius. The document which is published above contains the record of the proceedings. At least four inscriptions were recorded on the stone. Of the first, only the last two lines are preserved, but it probably contained the plea of the ambassadors. The second is a letter of the praetor to the Delphians giving a summary of the decree of the senate and enclosing a copy which is recorded in the third document. The right of asylum is acknowledged; the city is granted freedom and immunity from tribute; the citizens are to be autonomous for all time and left in the enjoyment of their own laws. The subject of the fourth document is unknown. Compare the letter of the praetor Valerius to the Teians (Ditt. *Syll.*$^3$ 601), where the Romans promise immunity from taxation although there is as yet no question of Teos being subject to Rome.

## 4. EPISTULA CONSULIS AD HERACLEOTAS

(ca. 189–188 a. Chr.)

*CIG.* 3800; Viereck, *Sermo Graecus*, 3; Ditt. *Syll.*³ 618; *Rev. ét. an.* 19 (1917), 237 *ff.*

[. . . . . . . . . . . . . . . . . . . . . .] στρατηγὸς ὕπατος Ῥωμαίων | [καὶ δήμαρχοι καὶ ἡ σύγκλητ]ος Ἡρακλεωτῶν τῆι βουλῆι καὶ τῶι δή|[μωι χαίρειν]. Ἐνέ[τυχον] ἡμῖν οἱ παρ' ὑμῶν πρέσβεις Διᾶς, Διῆς, Διονύ|[σιος, . . . .]μ[αν]δρος, [Εὔ]δημος, Μόσχος, Ἀριστείδης, Μένης, ἄνδρες κα||[λοὶ κἀγαθοί], οἳ τό τε [ψήφ]ισμα ἀπέδωκαγ καὶ αὐτοὶ διελέγησαν ἀκολού|[θως τοῖ]ς ἐν τῶ[ι ψη]φίσματι κατακεχωρισμένοις οὐδὲν ἐλλείποντες | [φιλοτι]μίας· ἡμ[εῖ]ς δὲ πρὸς πάντας τοὺς Ἕλληνας εὐνόως διακείμεν[οι | τυγχά]νομεγ καὶ πειρασόμεθα, παραγεγονότων ὑμῶν εἰς τὴν ἡμετέρα[μ | πίστι]μ, πρόνοιαν ποιεῖσθαι τὴν ἐνδεχομένην, ἀεί τινος ἀγαθοῦ παρα[ί||τιοι γεν]όμενοι· συγχωροῦμεν δὲ ὑμῖν τήν τε ἐλευθερίαγ καθότι καὶ | [ταῖς ἄ]λλαις πόλεσιν, ὅσαι ἡμῖν τὴν ἐπιτροπὴν ἔδωκαν, ἔχουσιν ὑ[φ' | αὑτοὺς πά]ντα τὰ αὑτῶμ πολιτεύεσθαι κατὰ τοὺς ὑμετέρους νόμους, | [καὶ ἐν τ]οῖς ἄλλοις πειρασόμεθα εὐχρηστοῦντες ὑμῖν ἀεί τινος ἀγαθοῦ | [παραίτ]ιοι γίνεσθαι· ἀποδεχόμεθα δὲ καὶ τὰ παρ' ὑμῶμ φιλάνθρωπα καὶ τὰς || [πίστεις, κ]αὶ αὐτοὶ δὲ πειρασόμεθα μηδενὸς λείπεσθαι ἐγ χάριτος ἀποδόσει· | [ἀπεστά]λκαμεν δὲ πρὸς ὑμᾶς Λεύκιον Ὄρβιον τὸν ἐπιμελησόμενον τῆς | [πόλεως κ]α[ὶ] τῆς χώρας ὅπως μηδεὶς ὑμᾶς παρενοχλῆι. Ἔρρωσθε.

From Heraclea at Latmus. We have adopted the readings of Holleaux (*Rev. ét. an.* 19 (1917), 237 *ff.*). The period is evidently the first invasion of Asia Minor by the Romans in the war against Antiochus. The Heracleans hastened to join the Romans and apparently sent an embassy to Rome to secure the ratification of the promises made by the commander of the Roman forces in the field. The consul at Rome promises the embassy that their state shall have its freedom and the right to use its own laws. Henzen (*Ann. Inst.* 1852, 138) restored the name of Gnaeus Manlius Volso in the first line and assumed that this was a letter issued by him as proconsul in 188 B.C., when he had been sent out at the head of a commission of ten to settle the affairs of Asia. Holleaux shows conclusively that this restoration and interpretation is incorrect.

## 5. SENATUS CONSULTA DE THISBENSIBUS

(170 a. Chr.)

Viereck, *Sermo Graecus*, 11; Bruns, 37; *IG*. VII, 2225; Ditt. *Syll.*$^{3}$ 646; Riccobono, p. 199.

Κόϊντος Μαίνιος Τίτου υἱὸς στρατηγὸς τῆι συνκλή|τωι συνεβουλεύσατο ἐν κομετίωι πρὸ ἡμερ|[ῶ]ν ἑπτὰ εἰδυῶν Ὀκτωμβρίων. Γραφομένωι | παρῆσαν Μάνιος Ἀκίλιος Μανίου υἱὸς Ὀλτε[ι||νί]α, Τίτος Νομίσιος Τίτου υἱός. Περὶ ὧν Θισ|[β]εῖς λόγους ἐποιήσαντο περὶ τῶν καθ' αὑ|[τ]οὺς πραγμάτων, οἵτινες ἐν τῆι φιλίαι τῆι | ἡμετέραι ἐνέμειναν, ὅπως αὐτοῖς δοθῶσιν, | [o]ἷς τὰ καθ' αὑτοὺς πράγματα ἐξηγήσωνται· περὶ τού||του τοῦ πράγματος οὕτως ἔδοξεν· ὅπως Κόϊντος | Μαίνιος στρατηγὸς τῶν ἐκ τῆς συνκλήτου | [π]έντε ἀποτάξηι, οἳ ἂν αὐτῶι ἐκ τῶν δημοσίων πρα|[γμ]άτων καὶ τῆς ἰδίας πίστεως φαίνωνται ἔδοξε. | Προτέραι εἰδυῶν Ὀκτωμβρίων· γραφομένωι παρῆ||σαν Πόπλιος Μούκιος Κοΐντου υἱός, Μάαρκος Κλαύ|διος Μαάρκου υἱός, Μάνιος Σέργιος Μανίου υἱός. | Ὡσαύτως περὶ ὧν οἱ αὐτοὶ λόγους ἐποιήσαντο περὶ χώρας | [κ]αὶ περὶ λιμένων καὶ προσόδων καὶ περὶ ὀρέων· ἃ αὑτῶν ἐγε|[γ]όνεισαν, ταῦτα ἡμῶν μ[ὲ]ν ἕνεκεν ἔχειν ἐξεῖναι ἔδο||ξεν.—Περὶ ἀρχῶν καὶ περὶ ἱερῶν καὶ προσόδων ὅπως αὐτοὶ | [κ]υριεύωσι, περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν· | οἵτινες εἰς τὴν φιλίαν τὴν ἡμετέραν πρὸ τοῦ ἢ Γάϊος Λοκρέ|τιος τὸ στρατόπεδον πρὸς τὴν πόλιν Θίσβας προσήγα|γεν, ὅπως οὗτοι ἔτη δέκα τ[ὰ] ἔγγιστα κυριεύωσιν. Ἔδοξ[εν]. || Περὶ χώρας, οἰκιῶν καὶ τῶν ὑπαρχόντων αὐτοῖς· οὗ ποτέ | τι αὐτῶν γέγονεν, ὅπως [τὰ] ἑαυτῶν αὐτοῖς ἔχειν ἐξῆι | ἔδοξεν. Ὡσαύτως περὶ ὧν οἱ αὐτοὶ λόγους ἐποιήσαντο, ὅπω[ς] | οἱ αὐτόμολοι οἱ ἴδιοι ἐκεῖ φυγάδες ὄντες, τὴν ἄκραν αὐτοῖς ὅπως | τειχίσαι ἐξῆι καὶ ἐκεῖ κατοικῶσιν οὗτοι, καθότι ἐνεφάνισαν, οὕ||τως ἔδοξεν· ὅπως ἐκεῖ κατοικῶσιν καὶ τοῦτο τειχίσωσιν. Ἔδο|ξεν.—Τὴν πόλιν τειχίσαι οὐκ ἔδοξεν. Ὡσαύτως περὶ ὧν οἱ αὐτοὶ | λόγους ἐποιήσαντο, χρυσίον, ὃ συνήνεγκαν εἰς στέφανον, ὅ|πως εἰς τὸ Καπετώλιον στέφανον κατασκευάσωσιν, τούτοις, καθ|[ότι] ἐνεφάνισαν, ὅπως αὐτοῖς ἀποδοθῇ, ὅ[πω]ς τοῦτον τὸν στέφανον εἰς || [τὸ] Καπετώλιον κατασκευάσωσιν· οὕτως ἀποδοῦναι ἔδοξεν. Ὡσαύ|[τ]ως περὶ ὧν οἱ αὐτοὶ λόγους ἐποιήσαντο, ἀνθρώπους, οἵτινες ὑπε-

*να[ν|τί]α τοῖς δημοσίοις πράγμασι τοῖς ἡμετέροις καὶ τοῖς ἑαυτῶν εἰσιν, | [ὅπ]ως οὗτοι κατέχωνται· περὶ τούτου τοῦ πράγματος, καθὼς ἂν* Κοΐν|[τω]ι Μαινίωι *στρατηγῶι ἐκ τῶν δημοσίων πραγμάτων καὶ τῆς ἰδίας πί||[σ]τεως δοκῇ, οὕτως ποιεῖν ἔδοξεν.* —Οἵτινες *εἰς ἄλλας πόλεις ἀ|πήλθοσαν καὶ οὐχὶ πρὸς τὸν παρ' ἡμῶν στρατηγὸν παρεγένοντο, ὅπως | μὴ εἰς τάξιν καταπορεύωνται· περὶ τούτου τοῦ πράγματος πρὸς* Αὖλον | [Ὁ]στίλιον *ὕπατον γράμματα ἀποστεῖλαι ἔδοξεν, ὅπως περὶ τούτου τῆι δι|[αν]οίαι προσέχηι, καθὼς ἂν αὐτῶι ἐκ τῶν δημοσίων πραγμάτων καὶ || [τ]ῆς ἰδίας πίστεως φαίνηται.* Ἔδοξεν. | Ὡσαύτως *περὶ ὧν οἱ αὐτοὶ λόγους ἐποιήσαντο περ[ὶ | τ]ῶν δικῶν* Ξενοπιθίδος *καὶ* Μνασίδος, *ὅπως ἐκ* Χαλκίδος *ἀφεθῶσι, | καὶ* Δαμοκρίτα Διονυσίου *ἐχ* Θηβῶν· *ταύτας ἐκ τούτων τῶν πόλε|ων ἀφεῖναι ἔδοξεν, καὶ ὅπως εἰς* Θίσβας *μὴ κατέλθωσιν.* Ἔδοξεν. ||[Ὡ]σαύτως *περὶ οὗ ταύτας τὰς γυναῖκας ὑδρίας σὺν ἀργυρίω[ι | εἰ]ς τὸν στρατηγὸν ἐνενκεῖν εἴπασαν· περὶ τούτου τοῦ πράγ[μα|το]ς ὕστερον ἔναντι* Γαΐου Λοκρετίου *βουλεύσασθαι ἔδοξεν. |* —Ὡσαύτως *περὶ ὧν οἱ αὐτοὶ* Θισβεῖς *ἐνεφάνισαν περὶ σίτου καὶ ἐλ[αί]||ου ἑαυτοῖς κοινωνίαν πρὸς* Γναῖον Πανδοσῖνον *γεγονέναι· περὶ τού||[τ]ου τοῦ πράγματος κἂν κριτὰς λαβεῖν βούλωνται, τούτοις κριτὰς δο[ῦ]|ναι ἔδοξεν.*—Ὡσαύτως *περὶ ὧν οἱ αὐτοὶ λόγους ἐποιήσαντο περὶ τοῦ | γράμματα δοῦναι* Θισβεῦσιν *εἰς* Αἰτωλίαν *καὶ* Φωκίδα· *περὶ τούτου | τοῦ πράγματος* Θισβεῦσι *καὶ* Κορωνεῦσιν *εἰς* Αἰτωλίαν *καὶ* Φωκί|δα *καὶ ἐάν που εἰς ἄλλας πόλεις βούλωνται, γράμματα φιλάν||θρωπα δοῦναι ἔδοξεν.*

From Thisbe. In the Macedonian war Thisbe, Haliartus, and Coronea remained loyal to Perseus, driving out the Roman party in their cities. When C. Lucretius advanced against Thisbe, it surrendered without a contest. The Roman praetor restored the city to the partisans of Rome, who were recalled from exile, and the Macedonian supporters remaining in the city when it surrendered were sold into slavery (Livy, 42. 46, 63, where Mommsen reads *Thisbas* instead of *Thebas* in both chapters). The pro-Roman party in control of the city sent an embassy to Rome for the settlement of problems which had not been adjusted by the praetor. The public lands, revenues, harbor, and mountains, which had apparently been confiscated, were restored to the city. For the next ten years, only those citizens who had been friendly to Rome before Lucretius captured the city were eligible for magistracies, or priesthoods, or as treasurers of the public revenues. In view of the fact that there was danger of the anti-Roman party returning and driving out the supporters of Rome, the latter asked permission to fortify the citadel and dwell there. This request was granted, but the Romans refused permission to rebuild the walls of the city, probably with an eye to possible future complications. The Roman party was small and weak, and there was danger of their being driven out. The senate instructed Quintus Manius to take necessary steps to prevent an uprising on the part of residents of Thisbe whose loyalty was suspected. The direct request of the ambassadors to imprison these men was refused. The consul, Aulus Hostilius, then in Macedonia, was ordered to take such action as he deemed advisable about the return of the exiles. The senate probably left these questions in abeyance intentionally in order to have a reasonable ground for interference in the affairs of Thisbe at any time. The senate thereby definitely abandoned the policies of Flamininus in his first settlement of the affairs of Greece. It is interesting to note that the Italian trader had soon penetrated Greece after the first invasion by Roman troops. Gnaeus Pandosinus, a native of Pandosia in southern Italy, had leased a part of the public lands of Thisbe, paying a certain percentage of the yield in grain and oil to the municipal treasury as rental. There arose some dispute in connection with this contract, which the senate referred to arbiters.

## 6. SENATUS CONSULTUM DE DELO

(164 a. Chr.)

Ditt. *Syll.*³ 664.

Οἱ στρατηγοὶ Χαρμίδει ἐπιμελη|τεῖ Δήλου χαίρειν. Γενομένων| πλειόνων λόγων ἐν τεῖ βουλεῖ | περὶ τοῦ δόγματος οὗ ἤνεγκεν || ἐκ Ῥώμης Δημήτριος Ῥηναι|εὺς ὑπὲρ τῶν κατὰ τὸ Σαραπι|εῖον· ἔδοξεν μὴ κωλύειν αὐ|τὸν ἀνοίγειν καὶ θεραπεύειν | τὸ ἱερὸν καθάπερ καὶ πρότε||ρον, γράψαι δὲ καὶ πρός σε πε|ρὶ τούτων ἵνα εἰδῇς· ὑποτε|τάχαμεν δέ σοι καὶ τοῦ ἐνε|χθέντος ὑπ' αὐτοῦ δόγματος | τὸ ἀντίγραφον.||

Κόϊντος Μινύκιος Κοΐντου | υἱὸς στρατηγὸς τεῖ συγκλή|τωι συνεβουλεύσατο ἐν κο|μετίωι εἰδυιοῖς ἐντερκ(α)λα|[ρ]ίοις· γραφομένου παρῆσαν || Πόπλιος Πόρκιος Ποπλίου, Τε|βέριος Κλαύδιος Τεβερίου | Κρυστομίνας, Μάνιος Φοντή|ιος Γαΐου· περὶ ὧν Δημήτριος | Ῥηναῖος λόγους ἐποιήσατο, || ὅπως τὸ ἐν Δήλωι ἱερὸν Σαρά|πιδος αὐτῶι θεραπεύειν ἐ|ξεῖ, Δηλίους δὲ κωλύειν καὶ | τὸν ἐξ Ἀθηνῶν ἔπαρχον | παραγινόμενον ὧι ἔλασ||σον θεραπεύει· περὶ τούτου | τοῦ πράγματος οὕτως ἔδο|ξεν· καθὼς τὸ πρότερον ἐ|θεράπευεν, ἕνεκεν ἡμῶν | θεραπεύειν ἔξεστιν τοῦ || μή τι ὑπεναντίον τῶι τῆς | συγκλήτου δόγματι γίνηται. | Ἔδοξεν.

From Delos. Although Delos at this time was under the administration of Athens, and the latter was a free city allied with Rome, the senate did not hesitate to interfere in the internal government of the island. Demetrius appealed to Rome to permit the opening of the Serapeum on Delos and the renewal of the cult which the Athenians had forbidden. He secured a decree of the senate in his favor, and, armed with this, he came to Athens and presented it to the senate. It is apparent from the wording of the letter which the Athenians sent to the governor of Delos that considerable opposition had arisen in Athens over this decree which is extremely brusque and softened by no diplomatic amenities. It is not even addressed to the Athenians nor is any request made to them to respect the wishes of Rome. Contrast with this the letter of Flamininus (no. 1). For the date of this document *cf.* note by Hiller, Ditt. *Syll.*³ 664.

## 7. SENATUS CONSULTUM DE TIBURTIBUS

(ca. 159 a. Chr.)

*CIL.* I, 201 = XIV, 3584; Dessau, 19; Bruns, 39; Riccobono, p. 204.

Cornelius Cn. f. pr(aetor) sen(atum) cons(uluit) a. d. III nonas Maias sub aede Kastorus. | Scr. adf. A. Manlius A. f., Sex. Iulius . . ., L. Postumius S. f. |

Quod Teiburtes v(erba) f(ecistis) quibusque de rebus vos purgavistis, ea senatus | animum advortit ita utei aequom fuit—nosque ea ita audiveramus, || ut vos deixsistis vobeis nontiata esse—: ea nos animum nostrum | non indoucebamus ita facta esse, propterea quod scibamus, | ea vos merito nostro facere non potuisse, neque vos dignos esse | quei ea faceretis, neque id vobeis neque rei poplicae vostrae | oitile esse facere; et postquam vostra verba senatus audivit, || tanto magis animum nostrum indoucimus, ita utei ante | arbitrabamur, de eieis rebus af vobeis peccatum non esse. | Quonque de eieis rebus senatuei purgati estis, credimus vosque | animum vostrum indoucere oportet, item vos populo | Romano purgatos fore.

Bronze tablet found at Tibur in the sixteenth century, now lost. The use of the second person in the verbs shows that this document is a letter from the praetor, containing the substance of a *senatus consultum.* It is in the form of a statement first made to the Tiburtine deputies in the senate. For the conventional form of a *S.C.*, *cf.* Abbott, 230, 413 *ff.* The date is fixed by the fact that L. Cornelius Lentulus Lupus, who was consul in 156 B.C., held the praetorship in 160 or 159 B.C. (*cf.* Münzer, *R.E.* 4, 1386 *f.*). For confirmation of this date, *cf.* also Willems, *Le sénat de la république rom.* 1, 250 *f.* Tibur had belonged to the old Latin League. It was at this time a *civitas foederata*, being one of the *socii Latini nominis.* Whether or not it was under the *aequum foedus* of Sp. Cassius is not clear (*cf.* Marquardt, *St. Verw.* 1, 47, n. 3). It became a *municipium* by the legislation of 90 B.C. A not uncommon cause of complaint against Italian cities was their failure to furnish the required contingent of troops (*cf.* Willems, *op. cit.* 2, 692). What the question at issue in this case was we do not know, but the point of interest in the document is that Tibur's explanation of the incident is laid before the senate, probably by a legation (*cf. quod Teiburtes verba fecistis*), and that the senate speaks for the Roman people and communicates its decision through its presiding officer.

## 8. SENATUS CONSULTUM DE NARTHACIENSIBUS ET MELITAEENSIBUS

(159–147 a. Chr.)

*IG.* IX, 2, 89; Ditt. *Syll.*$^3$ 674; de Ruggiero, *L'arbitrato pubblico*, 8; Tod, XXXIV; Viereck, *Sermo Graecus*, 12.

[Στρατ]αγέοντος τῶν Θεσσαλῶν Λεόντο[ς | τοῦ Ἁγ]ησίππου Λαρισαίου, ἐν δὲ Ναρθακίω[ι | ἀρχόντ]ων Κρίτωνος τοῦ Ἀμεινία, Πολυκλέος | [τοῦ Φει]δίππου, Γλαυκέτα τοῦ Ἀγελάου, ἀν[ε||-

γράφη τὸ] δόγμα τὸ γενόμενον ὑπὸ συγκ[λή|του ἐπὶ σ]τρατηγοῦ τῶν Θεσσαλῶν Θεσσα|[λοῦ τοῦ] Θρασυμήδεος Φεραίου. | [Γάϊος ʽΟσ]τίλιος Αὔλου υἱὸς Μαγκῖνος στρα|[τηγὸς τ]ῆι συγκλήτωι συνεβουλεύσατο πρὸ||[. . . .νω]νῶν Κοϊντιλίων ἐγ κομετίωι· γραφο|[μένωι π]αρῆσαν Κόϊντος (Σ)τατιλιηνὸς Κοΐντου | [υἱὸς Κορ]νηλία, Γναῖος Λοτάτιος Γναίου υἱὸ[ς | ᾽Α. . . .ήν]ση, Αὖλος Σεμπρώνιος Αὔλου υἱὸς Φα|[λέρνα]. Περὶ ὧν Θεσσαλοὶ Μελιταιεῖς ʽΑρμό||[ξενος Λυ]σάνδρου, Λαμπρόμαχος Πολίτα | [πρεσβευ]ταὶ λόγους ἐποιήσαντο, ἄνδρες κα|[λοὶ κἀγα]θοὶ καὶ φίλοι παρὰ δήμου καλοῦ | [κἀγαθο]ῦ καὶ φίλου συμμάχου (τε), χάριτα | [φιλίαν σ]υμμαχίαν τε ἀνενεώσαντο, πε||[ρὶ χώρας] δημοσίας καὶ περὶ χωρίου ἐρήμου | [εἴπασαν], μεθ᾽ ἧς χώρας εἰς τὴμ φιλίαν τοῦ | [δήμου τ]οῦ ʽΡωμαίων παρεγένοντο, ἣγ χώ|[ραν Ναρθα]κιεῖς μετὰ ταῦτα ἑαυτῶν ἀδίκως | [ἐποιήσαντ]ο, περὶ τούτου τοῦ πράγματος ὅπως || [τὴν διάνοι]αν πρόσ(σ)χωσιν, ὅπως τοῦτο τὸ πρᾶ|[γμα ἀκέρα]ιον αὐτοῖς ἀποκατασταθῇ οὕτω | [καθὼς πρότερο]ν ἐπὶ Μηδείωι καὶ ἐπὶ Θεσσαλῶν | . . . . . . . . . . καὶ ἐπὶ τῶν περὶ Πύλλον Μακε|[δόνων κεκρι]μένον αὐτοῖς ἦν, ταῦτά τε τὰ κ[ρί||ματα κύρια αὐτοῖ]ς ᾖ· περὶ τούτου τοῦ πράγμα|[τος συνευδόκ]ησεν ἡμῖν καὶ Ναρθακιεῦσιν | [ὅπως τὸν ἀγῶν]α τὸν παρόντα κρίνῃ ἐμ Μ[ελι|τείαι. . . . . .ἐ]ν ταύτηι τῆι χώρα[ι. . . . . .|. .ἀμφοτέρων] τῶν δήμων ἐ[πιτρεπόντων] || . . ἐστὶν ὧι φα. . | . .ιη. .νη[. καὶ περὶ ὧν Θεσσαλοὶ | Ναρθακιεῖς Ν]ικάτας Τα[. .|. . . . .,πρεσβε]υταὶ λόγο[υς] ἐπ[οιήσαντο κατὰ| πρόσωπον ἐν τῆι] συγκλήτ[ωι. .ἄνδρες καλοὶ || κἀγα]θοὶ καὶ φίλοι παρὰ δήμου κα[λοῦ κἀ|γαθοῦ κα]ὶ φίλ[ου συμμάχου τε ἡμετέρου, χά|ριτα φιλ]ίαν συ[μ]μα[χίαν τε ἀνενεώσαντο καὶ | περὶ τῶν πραγ]μάτω[ν τῶν καθ᾽ αὑτοὺς διελέ|γ]ησα[ν] περὶ χώρας [καὶ] ἱ[ε]ρ̣[ῶν περὶ τῆ]ς τε̣ || ἀφ[η̣]ρη[μένης] τ[ῆς κατὰ Μελιτ]α[ι]ε̣α̣ς̣ ἀ̣ρ̣χ̣ῆς [Να]ρ|θακιέ[ω]ν [τῶν] ἐν τ[ῇ ᾽Αχαι]ία[ι· καὶ γὰρ] μετὰ τα[ύτης] | τ[ῆ]ς χώρας εἰς τὴ[ν φ]ιλία[ν] τ[οῦ δή]μου [τοῦ ʽΡω|μ]αίω[ν] Ναρθακιεῖς παραγ[εγονέν]αι, [κ]αὶ [π]ερὶ | τῆς χώρας καὶ [τῶν] ἱερῶν κριτηρίοις [νεν]ικηκ[έ]||ναι κατὰ νόμους τοὺς Θεσσα[λῶ]ν, οἷς [νό]|μοις ἕως τα[ν]ῦν χρῶν[τ]αι, οὓς νόμους Τίτος | Κοΐγκτιος ὕπατος ἀπὸ τῆς τῶν δέκα πρεσ|βευτῶν γνώμης ἔδωκεν, καὶ κατὰ δόγμα | συγκλήτου, περί τε τούτων τῶν π[ρ]αγμά||[τω]ν ἔτει ἀνώτερον τρίτῳ ἐπὶ τριῶν

δικασ|[τη]ρίων νενικηκέναι, ἐπὶ Σαμίων, Κολο[φ]ων[ί|ων,] Μαγνήτων, κεκ[ρι]μένα εἶναι κατὰ νόμου[ς], | ὅπως ταῦτα κύρια ᾖ οὕτως καθὼς καὶ ἄλλοις | γεγονός ἐστιν· περὶ τούτου τοῦ πράγματος || οὕτως ἔδοξεν· χάριτα φιλίαν συμμαχίαν | [ἀ]νανεώσασθαι τούτοις τε φιλανθρώπως ἀ|ποκριθῆναι, ἄνδρας καλοὺς κἀγαθοὺς προσ|αγορεῦσαι, ὅσα κεκριμένα ἐστὶν κατὰ νόμους | οὓς Τίτος Κοΐγκτιος ὕπατος ἔδωκεν, ταῦτα κα||θὼς κεκριμένα ἐστὶν οὕτω δοκεῖ κύρια εἶναι δεῖν· | τοῦτό τε μὴ εὐχερὲς εἶναι, ὅσα κατὰ νόμους κε|κριμένα ἐστὶν ἄκυρα ποιεῖν. Ξένιά τε ἑκατέροις Γάϊ|ος Ὁστίλιος στρατηγὸς τὸν ταμίαν δοῦναι κε|[λ]εύσῃ ἀπὸ σηστερτίων νόμων ἑκατὸν εἴκοσι || [πέ]ντε εἰς ἑκάστην πρεσβείαν, οὕτω καθὼς ἂν | [αὐτῶι ἐκ] τῶν δημοσίων πραγμ̣άτων πίστε|[ώς τε τῆς] ἰδίας φαίνηται. Ἔδοξεν.

This inscription is engraved on two sides of a stone found at Narthacium in Thessaly. It is probably earlier than 146 B.C., since no reference is found in it to the provincial organization of Achaea by Mummius and his commission of ten in that year (*cf.* Willems, *Le sénat de la république rom.* 2, 705, n. 3; de Ruggiero, *op. cit.* 254), and because the two peoples in the controversy are spoken of as friends and allies of the Roman people—terms which would hardly be applied to provincial cities. On the other hand the fact that Hostilius, the praetor who presided over the senate, was not consul until 137 B.C. prevents us from dating the inscription much earlier than 150 B.C.

The inscription records the settlement of a dispute between the cities of Melitaea and Narthacium by the Roman senate. The Melitaeans claimed that they owned the territory in question when they were admitted into the friendship of Rome and that the land had been awarded to them by arbitration in previous decisions. The ambassadors of Narthacium claimed that the land had been awarded to them by Titus Quinctius and that his action had been ratified by a decree of the senate. Furthermore, the dispute had been arbitrated recently by a mixed tribunal from Samos, Colophon, and Magnesia, which had given a decision in their favor. The senate decided in favor of Narthacium, thus confirming the arrangement of Flamininus. In the same way, in deciding a similar question at issue between Priene and Samos, the senate upheld the arrangements made by Manlius and the senatorial commission (Ditt. *Syll.*³ 688), which had been confirmed by a judicial decision rendered by the Rhodians acting as arbiters. *Cf.* pp. 153 *ff.*

### 9. EPISTULA Q. FABI MAXIMI AD DYMAEOS
(ca. 139 a. Chr.)

Viereck, *Sermo Graecus*, 4; *CIG.* 1543; Ditt. *Syll.*³ 684.

*Ἐπὶ θεοκόλου Λέωνος, γραμματέ|ος τοῦ συνεδρίου Στρατοκλέος.* | Κόϊντος Φάβιος Κοΐντου Μάξιμος, *ἀνθύπατος* Ῥωμαίων, *Δυμαί|ων τοῖς ἄρχουσι καὶ συνέδροις καὶ τῆι πόλει χαίρειν. Τῶν περὶ* || Κυλλάνιον *συνέδρων ἐμφανισάντων μοι περὶ τῶν συντελε|σθέντων παρ' ὑμῖν ἀδικημάτων, λέγω δὲ ὑπὲρ τῆς ἐμπρήσε|ως καὶ φθορᾶς τῶν ἀρχ(εί)ων καὶ τῶν δημοσίων γραμμάτων, ὧν ἐγε|γόνει ἀρχηγὸς τῆς ὅλης συγχύσεως* Σῶσος Ταυρομένεος *ὁ | καὶ τοὺς νόμους γράψας ὑπεναντίους τῆι ἀποδοθείσηι τοῖς* || [Ἀ]*χαιοῖς ὑπὸ* Ῥωμαίων *πολιτ[εία]ι, περὶ ὧν τὰ κατὰ μέρος διή[λ]θ[ο|μεν ἐν* Πά]*τραις μετὰ τοῦ πα[ρ]όν[το]ς συμβουλίου· ἐπεὶ οὖν οἱ διαπρα|[ξά]μενοι ταῦτα ἐφαίνοντό μοι τῆς χειρίστης κα[τασ]τάσεως | [κα]ὶ ταραχῆς κα[τασκευὴν] ποιούμενο[ι τοῖς* Ἕλλησι *πᾶσ]ιν· οὐ μό|[νον γὰρ] τῆς πρ[ὸς ἀ]λλήλου[ς] ἀσυναλλ[α]ξ[ίας] καὶ χρε[ωκοπίας οἰ||κεῖα], ἀλλὰ καὶ [τ]ῆς ἀποδεδομένης κατὰ [κ]οινὸν τοῖς* Ἕλλ[*ησιν ἐ*]|*λευθερίας ἀλλότρια καὶ τῆ[ς] ἡμετέ[ρα]ς προαιρέσεως, ἐγ[ώ, πα]|ρασχομένων τῶν κατηγόρων ἀληθινὰς ἀποδείξεις,* Σῶ|σον *μέν, τὸν γεγονότα ἀρχηγὸν [τ]ῶν πραχθέντων καὶ νο|μογραφήσαντα ἐπὶ καταλύσει τῆς ἀποδοθείσης πολιτεί||[α]ς, κρίνας ἔνοχον εἶναι θανάτωι παρεχώρισα, ὁμοίως δὲ καὶ* | [Φορ]*μίσκον* Ἐχεσθένεος *τῶν δαμιοργῶν τὸν συμπράξαντα | [τοῖς] ἐμπρήσασι τὰ ἀρχεῖα καὶ τὰ δημόσια γράμματα, ἐπεὶ καὶ | [αὐτὸς] ὡμολόγησεν·* Τιμόθεον *δὲ* Νικία *τὸμ μετὰ τοῦ Σώσου | [γεγονό]τα νομογράφον, ἐπεὶ ἔλασσον ἐφαίνετο ἠδικηκώς, ἐ||[κέλευσα] προάγειν εἰς* Ῥώμην, *ὁρκίσας ἐφ' [ὧ]ι τῆι νουμηνίαι τοῦ ἐν|[άτου μηνὸ]ς ἔστα[ι] ἐκεῖ, καὶ ἐμφανίσας τ[ῶι ἐπ]ὶ τῶν ξένων στρατη|[γῶι, ὅπω]ς ἂν [μὴ π]ρότερον ἐπά[ν]εισ[ιν εἰ]ς οἶκον, ἐὰ[ν μ]ὴ αὐ. .*

From Dymae. Shortly after the destruction of Corinth by Mummius the Romans restored to the Greek cities their ancient assemblies (Pausanias, 7. 16. 10), but apparently with a constitution modelled on oligarchical lines (ll. 9 *ff.*). In Dymae there was a party led by Sosus which attempted a revolution. The public records were destroyed by fire, and the revolutionary party enacted laws contrary to the spirit of the constitution proposed by Rome. The pro-Roman party appealed to Fabius who restored them to power and condemned Sosus to death together with Phormiscus who was one of the magistrates associated with the conspirators. Timotheus, another conspirator, was banished to Rome. This document is important evidence for the influence of Rome in shaping the constitutions of the Greek cities along oligarchical lines.

## 10. SENTENTIA Q. M. MINUCIORUM INTER GENUATES ET VITURIOS

(117 a. Chr.)

*CIL.* i$^{1}$, 199 = v, 7749; Dessau, 5946; Bruns, 184.

Q. M. Minucieis Q. f. Rufeis de controvorsieis inter | Genuateis
et Veiturios in re praesente cognoverunt, et coram inter eos con-
trovosias composeiverunt, | et qua lege agrum possiderent et qua
fineis fierent dixserunt. Eos fineis facere terminosque statui iuse-
runt; | ubei ea facta essent, Romam coram venire iouserunt. Romae
5 coram sententiam ex senati consulto dixerunt eidib. || Decemb. L.
Caecilio Q. f. Q. Muucio Q. f. cos.—Qua ager privatus casteli
Vituriorum est, quem agrum eos vendere heredemque | sequi licet,
is ager vectigal. nei siet.—Langatium fineis agri privati. Ab rivo
infimo, qui oritur ab fontei in Mannicelo ad flovium | Edem; ibi
terminus stat. Inde flovio suso vorsum in flovium Lemurim. Inde
flovio Lemuri susum usque ad rivom Comberane. . . . . . . . Agri
poplici quod Langenses posident, hisce finis videntur esse. Ubi
comfluont | Edus et Procobera, ibei terminus stat. Inde Ede flovio
15 sursuorsum in montem Lemurino infumo; ibei terminus || stat.
Inde sursumvorsum iugo recto monte Lemurino; ibei termin*us*
stat. . . . . . . Quem agrum poplicum | iudicamus esse, eum agrum
castelanos Langenses Veiturios po*s*idere fruique videtur oportere.
25 Pro eo agro vectigal Langenses || Veituris in poplicum Genuam
dent in anos singulos vic(toriatos) n(ummos) cccc. Sei Langenses

eam pequniam non dabunt neque satis | facient arbitratuu Genuatium,
quod per Genuenses mo*ra* non fiat, quo setius eam pequniam
acipiant: tum quod in eo agro | natum erit frumenti partem vicensumam,
vini partem sextam Langenses in poplicum Genuam dare
debento | in annos singolos.—Quei intra eos fineis agrum posedet
Genuas aut Viturius, quei eorum posedeit k. Sextil. L. Caicilio |
Q. Muucio cos., eos ita posidere colereque liceat. E*i*s, quei posidebunt,
vectigal Langensibus pro portione dent ita uti ceteri || Langenses, 30
qui eorum in eo agro agrum posidebunt fruenturque. Praeter
ea in eo agro niquis posideto nisi de maiore parte | Langensium
Veituriorum sententia, dum ne alium intro mitat nisi Genuatem
aut Veiturium colendi causa. Quei eorum | de maiore parte Langensium
Veiturium sententia ita non parebit, is eum agrum nei habeto
nive fruimino.—Quei | ager compascuos erit, in eo agro quo minus
pecus *p*ascere Genuates Veituriosque liceat ita utei in cetero agro |
Genuati compascuo, niquis prohibeto, nive quis vim facito, neive
prohibeto quo minus ex eo agro ligna materiamque || sumant 35
utanturque.—Vectigal anni primi k. Ianuaris secundis Veturis
Langenses in poplicum Genuam dare | debento. Quod ante k.
Ianuar. primas Langenses fructi sunt eruntque, vectigal invitei dare
nei debento.— | Prata quae fuerunt proxuma faenisicei L. Caecilio
Q. Muucio cos. in agro poplico, quem Vituries Langenses | posident
et quem Odiates et quem Dectunines et quem Cavaturineis et quem
Mentovines posident, ea prata, | invitis Langensibus et Odiatibus
et Dectuninebus et Cavaturines et Mentovines, quem quisque eorum
agrum || posidebit, inviteis eis niquis sicet nive pascat nive fruatur. 40
Sei Langueses aut Odiates aut Dectunines aut Cavaturines | aut
Mentovines malent in eo agro alia prata inmittere defendere sicare,
id uti facere liceat, dum ne ampliorem | modum pratorum habeant,
quam proxuma aestate habuerunt fructique sunt.—Vituries quei
controvorsias | Genuensium ob iniourias iudicati aut damnati sunt,
sei quis in vinculeis ob eas res est, eos omneis | solvei mittei leiber*are*ique
*a* Genuens*ibus* videtur oportere ante eidus Sextilis
primas.—Seiquoi de ea re || iniquom videbitur esse, ad nos adeant 45
primo quoque die et ab omnibus controversis et hono publ. li. | Leg.
Moco Meticanio Meticoni f., Plaucus Peliani. Pelioni f.

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l. 45. et hono publ. li; *something like* abstineant *required*.

Bronze tablet found in 1506, near Genua, now in Genoa. Most of those parts of the inscription which describe the boundaries of the *ager privatus* (ll. 8–12) and the *ager publicus* (ll. 14–23) of the Langenses are omitted here. The document is dated in l. 5. It contains the settlement of a controversy between the *civitas foederata* of Genua and the neighboring tribe of the Viturii or Langenses and certain other tribes (l. 38). So far as the relations of the municipalities to the central government are concerned, its interest for us lies in the fact that it gives us the fullest account which we have in the republican period of the part which Rome played as arbitrator between dependent communities, and that it discloses the control which a *civitas* had over its *attributi.* The Viturii and the other tribes mentioned in l. 38 were *attributi* of Genua (*cf.* Mommsen, *St. R.* 3, 765 *ff.*; *cf.* pp. 138 *f.*, and commentary on no. 49). It is clear that the Viturii had some form of local government, because they were able to receive rental from those who occupied certain lands (ll. 29–30), and to decide certain questions *de maiore parte L. V. sententia* (ll. 30–31, 32). They were, however, not autonomous. The questions at issue between them and Genua have been heard by the local magistrates of Genua (ll. 43–44). So far as private rights go, the citizens may own land (*cf.* ll. 5–6), but, if they occupy any of the *ager publicus* of Genua, they must pay an annual tax to Genua in money or in kind (ll. 24–28).

The magistrates of Genua had proceeded to hear the cases which had arisen (ll. 43–44), but the Viturii appealed to the Roman senate. Such an appeal was quite in accordance with the Roman theory of her relation to all *civitates* in her confines. They were under her hegemony, and consequently their dealings with one another and with independent states, and their relations to communities subordinate to them, were regulated by her. As she expressed it in certain treaties (*cf.* Cic. *pro Balbo*, 35–37), the allied cities were required *maiestatem populi Romani comiter conservare.*

The senate in this case appointed two of its members, the Minucii, as arbitrators. They were descendants of Q. Minucius Rufus, who conquered the Ligurians in 197 B.C. (*cf.* Livy, 32. 27–31; Cic. *Brut.* 73), and were probably patrons of Genua. They proceeded to the locality concerned (*cf.* l. 2), investigated the matter, made certain rulings, set up boundary stones, ordered local deputies to come to Rome (*cf.* ll. 4, 46), and reported to the senate. Their decision is: (1) that the Viturii may own certain *ager privatus* which shall be free from taxes (ll. 5–6); (2) that for the *ager publicus* of Genua which they occupy, they shall pay an annual *vectigal* to Genua (ll. 24–32); (3) that the common pasture land may be used by any Genuan or Viturian (ll. 33–34); (4) that the meadows in this public land are reserved for the Viturii (ll. 37–42); (5) that the Viturii who have been imprisoned by the Genuan magistrates shall be set free (ll. 43–44), and (6) that later grievances are to be referred to Rome (l. 45). For arbitration under Rome, *cf.* pp. 152 *ff.*, and nos. 8, 57, 90, etc.

## 11 LEX OSCA TABULAE BANTINAE

(150–100 a. Chr.)

Bruns, 8; Girard, p. 26; Riccobono, p. 130; Buck, *Oscan and Umbrian Grammar*, p. 230; v. Planta, *Gramm. d. osk.-umbr. Dial.* 2, 599; Conway, *Exempla Selecta*, 2.

Chap. 1. ...... is .... si ... quaestor multam *proposuerit* ..........iurabit maximae partis senatus sententia *dummodo non minus* XL adsint, cum ea res consulta erit. Siquis peremerit, prius quam *peremerit*, iurato sciens in comitio sine dolo malo, se ea comitia magis rei publicae causa quam cuiuspiam gratiae aut inimicitiae causa, idque se de senatus sententia maximae partis perimere. Cui sic comitia perimet *quisquam*, is eo die comitia ne habuerit.

Chap. 2. Quis quandoque post hac comitia, habebit magistratus de *capite* vel in pecunias, facito ut populus iurati sententiam dicant, se de iis id sententiae dicere, quod optimum publicum censeat esse, neve fecerit quo quis de ea re minus iuret dolo malo. Siquis contra hoc fecerit aut comitia habuerit, multa tanta esto: n. MM. Et siquis eum potius magistratus multare volet, dumtaxat minoris partis pecuniae multae multare liceto.

Chap. 3. Siquis pro magistratu alteri *capitis* aut pecuniae diem dixerit, is comitia ne habuerit nisi cum apud populum quater oraverit sciens sine dolo malo et *quartum* diem populus perceperit. Quater, neque plus quinquiens, cum reo agito prius quam iudica-

tionem dabit, et cum postremum cum reo oraverit, ab eo die in diebus xxx proximis comitia ne habuerit. Siquis contra hoc fecerit, eum siquis volet magistratus multare, liceto, dumtaxat minoris partis pecuniae liceto.

Chap. 4. Cum censores Bantiae populum censebunt, qui civis Bantinus erit, censetor ipse et pecuniam qua lege ii censores censere proposuerint. At siquis in censum non venerit dolo malo, et eius convincitur, ipse in comitio *caedatur* praetoris magistratu, populo praesente sine dolo malo, et immercato cetera familia et pecunia omnino quae eius erit, quae incensa erit, publica esto.

Chap. 5. Praetor, sive praefectus post hac Bantiae erit, siquis apud eos cum altero lege agere volet, aut pro iudicato manum adserere de eis rebus quae hisce in legibus scriptae sunt, ne quem prohibuerit plus diebus x proximis. Siquis contra hoc prohibuerit, multa tanta esto: n.M. Et siquis eum magistratus multare volet, liceto, *dumtaxat* minoris partis pecuniae multae multare liceto.

Chap. 6. Praetor censor Bantiae *ne quis* fuerit, nisi quaestor fuerit, neve censor fuerit nisi praetor fuerit. Et siquis praetor et si*quis censor*. . . . q. . . . . . . . virum fuerit, is post ea tr. pl. ne fuerit. Siquis *contra hoc tr. pl. factus* erit, is improbe factus esto. Id magisterium eo. . . . .*quandoque Bantiae*. . . . . . . . . magisterium *annorum* VI proximorum. . . .quod. . . .magisterium.

A bronze tablet, about 15 by 10 inches, found in 1790 at Bantia, near the borders of Lucania and Apulia, now in the museum at Naples. On one side it has an Oscan inscription, written in Latin letters, and reproduced here in the Latin translation made by Buecheler, as modified by Buck. On the other side is a Latin inscription, of a somewhat later date, with which we are not concerned here. The Oscan inscription was in two columns, of which the right-hand column has been lost. Of the extant left-hand column, the upper and lower parts are broken. Six chapters, which represent about one-sixth of the original law, are preserved. The inscription contains a series of municipal regulations for the federated town of Bantia. This municipal charter was either granted to Bantia by Roman commissioners, and is, therefore, a *lex data*, or more probably, as Mommsen (*St. R.* 3, 701) and Girard think, was adopted by the local assembly. Its primary interest for us lies in

the fact that it is a fragment of the earliest extant municipal charter. It is also important, because it illustrates the policy of Rome in the second century B.C. of entering into relations with individual cities, rather than with tribes or large sections of country. It is also mportant as illustrating for the early period the blending of Roman nstitutions with local autonomy and traditional titles and practices.

The law prescribes the presence of a quorum in the local senate when certain action is taken. It defines the functions and procedure of the local assembly in hearing criminal cases. It lays down certain provisions concerning the census, describes the jurisdiction of the praetor, and establishes a *cursus honorum.* The characteristics of autonomy which we notice in this law are the regularly ordered magistracies, senate, and popular assembly, the taking of the census by the local authorities, the holding of court and the imposition of fines by the praetor of Bantia, and the exercise of criminal jurisdiction by the popular assembly. No mention is made of the exemption, even of Romans or Italians, from the jurisdiction of this popular court, although in most treaties probably Rome stipulated that they should not be tried by the local court (*cf.* Mommsen, *St. R.* 3, 702). The specification of a senatorial quorum for the transaction of certain business is characteristic of Roman practice and is found in later municipal charters. The right of *intercessio* is exercised at Bantia, as well as at Rome, but in the former city it may be used to prevent a meeting of the assembly only on the approval of the senate, and on the taking of an oath by the official exercising it; *cf.* the oath taken by Ti. Gracchus (Aul. Gell. 6. 19). The procedure of the assembly when sitting as a high court was, except for small details, identical with that at Rome (*cf.* Cic. *de domo sua,* 45; Livy, 26. 3). The census followed the same course at Bantia as at Rome, except that in Bantia the penalty for non-appearance was lighter. A still more striking instance of the adoption of a Roman institution occurs in the last paragraph which fixes legally the *cursus honorum.* In this matter the people of Bantia have outdone the Romans who had arrived indirectly at the same end by prescribing in the *lex Villia annalis* the minimum ages at which the several offices should be held (Livy, 40. 44. 1). Incidentally this fact shows that our law is later than 180 B.C. It is surprising to find that one of the municipal magistrates is a tribune (*cf.* last paragraph), but parallels are found at Nuceria (Dessau, 6445 *e*), and Teanum Sidicinum (*ibid.* 6298). For recent literature on this law, see Bruns and Girard.

### 12. SENATUS CONSULTUM DE CONTROVERSIA INTER PUBLICANOS ET PERGAMENOS

(in. saec. I a. Chr.)

*E.E.* 4, 213 *ff.*; Viereck, *Sermo Graecus*, 15.

. . . . [στρ]ατ[ηγ]ὸν | [πρὸ ἡμερῶν τρι]ῶν καλανδῶν | [Φεβροα-
5 ρίων (?) ἐν] κομετίῳ μετὰ | [συμβουλίου ἐ]πεγνωκότα δό||[γματι
συγκλή]του περὶ χώρας, ἥ|[τις ἐν ἀντι]λογίᾳ ἐστὶν δημοσιώ-|
[ναις πρὸς] Περγαμηνούς· ἐν τῶι | [συμβουλ]ίῳ παρῆσαν—
(*sequuntur nomina*).

The date of this decree of the senate cannot be determined with accuracy. Willems (*Le sénat de la république rom.* 1, 693 *ff.*) has dated it ca. 98–94 B.C. The dispute between the *publicani* and the city of Pergamum was referred to the senate. Nothing is known about the nature of the dispute, but it is probable that the tax-collectors attempted to bring the temple-lands under their jurisdiction as at Ilium and Oropus (nos. 14, 18). If, however, Pergamum still enjoyed the privileges which were conferred upon it by the testament of Attalus, the dispute may be over lands claimed by the city and therefore exempt from tribute.

### 13. DECRETUM CN. POMPEI STRABONIS

(90 a. Chr.)

*CIL.* I², 709; *Bull. arch. com.* 38 (1910), 275; *An. ép.* 1911, no. 126; Girard, p. 61; Dessau, 8888.

Cn. Pompeius Sex. *f. imperator* virtutis caussa | equites Hispanos ceives *Romanos fecit in castr*eis apud Asculum a. d. XIV k. Dec. | ex lege Iulia. In consilio *fuerunt*: |

L. Gellius L. f. Tro. Cn. Octavius Q. f.

(*et alia nomina quinquaginta septem*)

TURMA SALLVITANA

Sanibelser Adingibas f.

(*et alia nomina viginti novem*)

Cn. Pompeius Sex. f. imperator | virtutis caussa turmam | Salluitanam donavit in | castreis apud Asculum | cornuculo et patella, torque, | armilla, palereis; et frumen*t*um | duplex.

A bronze plate, which, with some fragments missing, was first published in the *Bull. arch. com.* 36 (1908), 169 *ff.* Later a small but important fragment was found, and the inscription was brought out in its present form in the *Bull. arch. com.* 38 (1910), 273–280. The decree was issued in the camp at Asculum, but this copy of it was kept on the Capitol in Rome. It has been much discussed, both before and after the discovery of the new fragment; *cf. e.g.*, *An. ép.* 1909, no. 30; 1910, pp. 30, 38, 41, 55; 1911, pp. 29–30; Pais, *Studi storici*, 2, 113–162; *Rendiconti della r. accad. dei Lincei*, Ser. v, 19 (1910), 72–87; de Sanctis, *Atti della r. accad. delle scienze di Torino*, 45 (1910), 144 *ff.*; V. Costa, *Rend. della r. accad. delle cienze dell' instit. di Bologna*, 2 (1908–1909), 37–40; *ibid.* 4 (1910–1911), 44–49; Girard, *op. cit.*; Stevenson, *Journ. Rom. Studies*, 9 (1919), 95–101. It confers Roman citizenship and other rewards, mentioned in the last paragraph, on certain persons. The first grant, that of Roman citizenship, is made with the approval of the *consilium*, which was composed ordinarily of the military tribunes and the chief centurion of each legion. The names of the members of the *consilium*, sixty in all, are given in the early part of the inscription. L. Caesar, after his great victory over the Samnites and Lucanians, and sometime in 90 B.C., secured the passage of a law which granted citizenship to the allies and Latins; *cf.* Rotondi, *Leges publicae populi Romani*, 339. Probably the same law also authorized the grant of citizenship to provincial auxiliaries of federated and stipendiary cities, who had contributed by their valor to Roman success. The grant of these rights to provincials at such an early date is surprising. It seems to indicate an unusually liberal attitude on the part of Strabo. The award in this case was made by him after the battle near Firmum (*cf.* Appian, *B.C.* 1. 6. 47; Livy, *Ep.* 74, 76). The decree was drawn up *in castreis apud Asculum*, and no mention is made in it of the consulship which Strabo held in 89 B.C. It belongs therefore to 90 B.C., and it bears the date of Nov. 17. For the arguments in favor of the date 89 B.C., *cf.* Dessau, *loc. cit.* and Stevenson, *loc. cit.* Perhaps similar rewards were given to other Spanish squadrons and to auxiliary troops from other provinces and recorded elsewhere, but no other tablets of this sort have yet been found. It is the first example of a *lex data* issued by a general, based on a *lex rogata*, *cf.* pp. 232 *ff.*, and Girard, *op. cit.* At a later date Pompey the Great was authorized to confer Roman citizenship *de consilii sententia singillatim* (Cic. *pro Balbo*, 8. 19), and under the empire the award was frequently made in military diplomas (*cf.* also no. 42). An interesting supplement and a parallel to Strabo's decree is furnished by a *S.C.* of 78 B.C. (Bruns, 41), which declared three Greek ship captains as *amici populi Romani*, and granted them immunity and other privileges for the services which they had rendered to Rome in time of war.

### 14. ILIENSES HONORANT LUCIUM IULIUM CAESAREM

(89 a. Chr.)

Ditt. *Or. Gr.* 440.

Ὁ δῆμος | *Λεύκιον Ἰούλιον* | *Λευκίου υἱὸν* Καίσαρα, | *τιμητὴν γενόμενον* || *καὶ ἀποκαταστή|σαντα τὴν ἱερὰν* | *χώραν τῆι* Ἀθηνᾶι | *τῆι* Ἰλιάδι *καὶ ἐξελόμενον* | *αὐτὴν ἐκ τῆς δημοσιωνίας.*

From Troy. Lucius Julius Caesar, as censor, restored the sacred lands of the city to the goddess Ilian Athena, and thus exempted them from the tribute collected by the *publicani* (*cf.* Strabo, p. 642). The city of Priene appealed to Rome ca. 100 B.C. for a remission of the tax on salt and of the *δημοσιῶναι* (*Inschriften von Priene*, 111). *Cf.* nos. 12, 18, and Rostowzew, *Gesch. d. röm. Kol.* 284 *f.*

### 15. TABULAE AD MEMORIAM LIBERTATIS RESTITUTAE SERVANDAM APTAE

(81 a. Chr.)

*CIL.* I, 587, 588, 589.

(*a*)

. . . Populus Laodicensis af Lyco | populum Romanum quei sibei |
. . . salutei fuit; benifici ergo quae sibei | benigne fecit || *ὁ δῆμος ὁ*
. . . *Λαοδικέων τῶν πρὸς* | *τῶι Λύκωι τὸν δῆμον τὸν* | Ῥωμαίων
. . . *γεγονότα ἑαυτῶι* | *σωτῆρα καὶ εὐεργέτην* | *ἀρετῆς ἕνεκεν καὶ*
. . . *εὐνοίας* || *τῆς εἰς ἑαυτ̣όν.*

---

The dots at the left in (*a*) mark a break in the stone.

(*b*)

Populus Ephesius *populum Romanum* | salutis ergo quod *optinuit maiorum* | sovom leibertatem i . . . | legatei Heraclitus H . . .*filius* || Hermocrates Dem*etri filius*

---

(*c*)

Communi restituto in maiorum leiber*tatem* | Roma Iovei Capitolino et poplo Romano v*irtutis* | benivolentiae benificique caussa erga Lucios ab commun*i* | *Λυκίων τὸ κοινὸν κομισάμενον τὴν πάτριον δη||μοκρατίαν τὴν* Ῥώμην Διΐ Καπετωλίωι *καὶ τῶι* | *δήμωι τῶ[ι]* Ῥωμαίων *ἀρετῆς ἕνεκεν καὶ εὐνοίας* | *καὶ εὐεργεσίας τῆς εἰς τὸ κοινὸν τὸ Λυκίων.*

Three stone tablets found in Rome. Ephesus and the Commune Lyciae express their thanks to the Roman people for the gift of *libertas*, and Laodicea likewise shows its gratitude. The inscriptions probably belong to the year 81 B.C., when Sulla and Murena settled the affairs of Lycia (*cf.* Appian, *Mithr.* 61; Tac. *Ann.* 3. 62). It is probable, though not certain, that Rome recognized these cities as *civitates liberae* (*cf.* Henze, *De civitatibus liberis*, 70–71; Mommsen, *St. R.* 3, 670, n. 3; Marquardt, *St. Verw.* 1, 337, n. 9). An inscription found at Tabae (no. 16), as interpreted by Mommsen (*Hermes*, 26 (1891), 145–148 = *Ges. Schr.* 5, 514), throws a little light on some of Sulla's arrangements in Asia Minor (*cf.* nos. 17, 19). For a summary of them, *cf.* Chapot, *La prov. rom. proc. d'Asie*, 39. For Ephesus, *cf. ibid.* 116. The Commune Lyciae was one of the oldest leagues in the empire and in Strabo's time numbered twenty-three cities with the right of voting in the *κοινόν* (*cf.* Marquardt, *St. Verw.* 1, 376 *f.*; Reid, *Municipalities of the Roman Empire*, 363 *f.*; Guiraud, *Les assemblées prov.* 41).

## 16. SENATUS CONSULTUM DE TABENIS

(82 a. Chr.)

Ditt. *Or. Gr.* 442.

[. . . . . . . *τοῖς τε βασιλέως ἡγεμόσιν* | *δυνάμεσίν*] *τε ἐπανδρόταʹ[τα ὑπὲρ τῶν πόλεων τῆς* Ἀσίας | *καὶ τ*]*ῆς* Ἑλλάδος *ἀντιτετάχ[θαι· ἀρέσκειν ὁμοίως τῆι* | *συγ*]*κλήτωι καὶ τῶι δήμωι* [*τῶν* Ῥωμαίων *ταῦτα πάντα κατὰ τὰ*] || *ἄριστα εἶναι ἔσεσθαί τε*, *[τήν τε πίστιν πρὸς τὴν σύν|κλη]τον καὶ τὸν δῆμον τῶν Ῥωμα[ίων τετηρημένην ἀεὶ | διὰ μ]νήμης ἔχειν ἕξειν τε· ὅσ[ας τέ τινας τῆς | τού]των ἀρετῆς καὶ καταλογῆς ἕ[νεκεν αὐτοῖς | ἀπὸ] συνβουλίου γνώμης Λεύκιος [Κορνήλιος || Σύλλ]ας αὐτοκράτωρ συνεχώρησεν [π]όλ[εις ὅπως | ἰδί]οις τοῖς νόμοις αἱρέσεσίν τε ὦσιν· | [ὅπω]ς τε χωρίον Θυησσόν, ὅ ἐστιν ἐντὸς τῶν [ὁ|ρίω]ν αὐτῶν, ἐὰν βούλωνται, ὀχυρώσωσιν· [τήν | τε σύ]νκλητον τόν τε δῆμον τὸν Ῥωμαίων [δι||αλα]νβάνειν ταῦτα αὐτοῖς καλῶς καὶ [προση|κόντ]ως καὶ ἀξίως αὐτῶν δεδόσθαι τε. . . .*

From Tabae. This city had remained loyal to the Romans during the invasion of Asia by Mithradates, and was rewarded by Sulla in a fashion similar to Stratonicea (*cf.* no. 17). It was given the revenues of certain towns and, as an ally of Rome, was permitted to use its own laws. Permission to fortify part of their territory was also granted (*cf.* no. 5; Viereck, *Hermes*, 25 (1890), 624 *ff.*, Mommsen, *Ges. Schr.* 5. 514 *ff.*).

## 17. SENATUS CONSULTUM DE STRATONICENSIBUS

(ca. 81 a. Chr.)

Ditt. *Or. Gr.* 441, ll. 1–129; Viereck, *Sermo Graecus*, 16.

*[Λεύκιος Κορνήλιος Λ]ευκίου [υἱὸς] Σύλλας Ἐπαφρόδιτος | [δικτάτωρ Στρατονι]κέων ἄρ[χο]υσι βουλῆι δήμωι χαίρειν. | [Οὐκ ἀγνοοῦμεν ὑμᾶς] διὰ προ[γ]όνων πάντα τὰ δίκαια | [πρὸς τὴν ἡμετέρα]ν ἡγεμ[ον]ίαν πεποιηκότας καὶ ἐν || [πάντι καιρῶι τὴν πρὸς ἡ]μᾶς πί[στ]ιν εἰλικρινῶς τετηρηκότας | [ἔν τε τῶι πρὸς Μιθραδά]την π[ο]λέμωι πρώτους τῶν ἐν τῆι | [Ἀσίαι ἀντιτεταγμένους κα]ὶ διὰ ταῦτα κινδύνους πολλούς | [τε καὶ παντοδαποὺς] ὑπὲρ τῶν ἡμετέρων δημοσίων | [πραγμάτων προθυμό]τατα ἀ[ν]αδεδεγμένους || . . . . . . . . . . . . . . . . . . . καὶ τ[οὺς κοινοὺς] καὶ τοὺς ἰδιωτικοὺς | [φιλίας ἕ]νε[κεν π]ρὸς ἡμᾶς εὐνοίας τε | [καὶ χάριτος, καὶ ἐν τῶι τοῦ πολ]έμου καιρῶι πρός τε | [τὰς ἄλλας τῆς Ἀσίας πόλεις πεπρ]εσβευκότας καὶ πρ[ὸ]ς | [τὰς τῆς Ἑλλάδος. . . . . . . . . .]Λεύκιος Κορ[νήλιος Σύλλας Ἐπαφρόδιτος δικτ]άτωρ || Στρατο[νικέων ἄρχουσι βουλῆι δήμωι χαίρειν.] | Πρεσβευταῖς ὑμ[ετέροις τὸ γενόμενον ὑπὸ συγκλήτ]ου δόγμα | τοῦτο [παρέδωκα]. |*

*Λεύκιος Κορνήλι[ος Λευκίου υἱὸς Σύλλας Ἐπαφρόδιτος*

ικτ]άτωρ | συγκλήτωι συ[νεβουλεύσατο πρὸ ἡμερῶν ἓξ
κα]λανδῶν || Ἀπριλίων ἐν τῶ[ι κομετίωι· γραφομένωι παρῆσαν 20
Γ]άϊος | Φάννιος Γαΐου [υἱὸς. . . . . . . . . . . ., Γ]άϊος | Φονδάνιος
Γαΐ[ου υἱὸς. . . . . . . . · περὶ ὧν Στρατονικε]ῖς ἐκ Χρυ|σαο[ρέων] |
Παιώνιος Ἱερ[οκλέους, . . . . . . . . . . . . . . . ., . . . . . . . . . . . . . . .
. . .], || Ἑκαταῖος Πα. . . . . . ., . . . . . . . . . . . . . . . . . . . . . ., | 25
Διονύσιος Ἑ[. . . . . . πρεσβευταὶ λόγους ἐποιή]σαντο | συμ[φώ-
νως καὶ ἀκολούθως τῶι Στρατονικέων ψηφίσματι | ἀξιοῦντες
συνήδεσθαι ἐπὶ τῶι τ]ὰ δημόσια πράγ[ματα τ]οῦ δήμου | [τοῦ
Ῥωμαίων ἐν βελτίονι κα]ταστάσει εἶναι· || [ὅπως χρυσοῦν 30
στέφανον παρὰ τῆς ἰ]δίας πόλεως τῆι συγκλήτωι | [ἀναθεῖναι
ἐξῆι ἀπὸ ταλάντων δ]ιακοσίων, | [θυσίαν τε ἐν τῶι Καπετωλίωι
ὅπως] ποιῆσαι ἐξῆι ὑπὲρ τῆς ν[ίκ]ης | [καὶ τῆς ἡγεμονίας τοῦ
δήμου τοῦ] Ῥωμαίων, | [ὅπως τε τὸ λοιπὸν Λευκίωι Κορνηλίωι
Λ]ευκίου υἱῶι Σύλλαι Ἐπαφροδίτωι || [δικτάτορι φαίνηται 35
Στρατονικέων] δήμωι φιλανθρώπως κεχρῆσ[θ]αι· | [ἐπεί τε ὁ
δῆμος ἐν τῶι καιρῶι τῆς εἰρήν]ης συνετήρησεν τὴν ἰδίαν | [εὔνοιάν
τε καὶ πίστιν καὶ φιλίαν] πρὸς τὸν δῆμον τὸν Ῥωμαίων | [καὶ
πρῶτος τῶν ἐν τῆι Ἀσίαι, ὅτε Μιθρ]αδάτης ἐν αὐτ[ῆι | δεινότατα
ἐτυράννευεν, προείλετο ἀν]τιτετάχθαι· || [ἐπεὶ δὲ ὁ βασιλεὺς ἐπὶ 40
τὴν πόλιν ἐπῆλθεν], ἑλὼν δ' ἐκράτησ[ε]ν . . . . . . . . . . . . . . .
[Λευκίωι Κορνηλίωι Λευκίου υἱῶι Σύλλαι] | δικτάτορι ἐπι[τά-
ξαντι. . . . . . . . . . . . . . . . . . . . . . . . . . . . | κ]αὶ ἐπεὶ ὁ δῆμος [συν-
ετήρησεν ἀεὶ τὴν ὑπάρχουσαν αὐτῶι] | εὔνοιαν καὶ πί[στιν] καὶ
συμμαχί[αν πρὸς τὸν δῆμον τὸν Ῥωμαίων, τὰ ἴ]|δια πράγματα
κ[ατὰ τ]ὴν προαίρεσιν [τὴν ἐκείνων διοικήσας, καὶ Μιθραδάτηι] ||
πόλεμον ἐπο[ίησε, κα]ὶ τὸν ἴδιον δη[λώσας θυμὸν προθυμότατα 45
ἀντετάχθη] | τῆι βασιλικῆι β[ουλῆ]ι καὶ δυνάμει [. . . . . . . . .
. . . . . . .

. . . . . . . . . . . . . . . | δικαίοις τε κ]αὶ νόμοις καὶ ἐθισμ[οῖς τοῖς
ἰδίοις, οἷς ἐχρῶν|το ἐπάν]ω, ὅπως χρῶνται, ὅσα τε [ψηφίσματα
ἐποίησαν τού|του τοῦ πο]λέμου ἕνεκεν, ὃν πρὸς βασ[ιλέα
Μιθραδάτην ἀνέδειξαν, || ὅπως τ]αῦτα πάντα κύρια ὦσιν· | 50
[Πήδασόν τε], Θεμησσόν, Κέραμον, χωρία [κώμας λιμένας
προσό|δους τε τῶν] πόλεων, ὧν Λεύκιος Κορν[ήλιος Σύλλας
αὐτοκράτωρ | τῆς τούτων] ἀρετῆς καταλογῆς τε ἕ[νεκεν προσ-
ώρισεν συνεχώρη|σεν, ὅπως τ]αῦτα αὐτοῖς ἔχειν ἐξ[ῆι· || τὸ 55

ἱερὸν τῆς] Ἑκάτης, ἐπιφανεστά[της καὶ μεγίστης θεᾶς, ἐκ πολ|λοῦ τε τι]μώμενον καὶ πολλα[. . . . . . . . . . . . . . . . . . . . . . . .| τό τε τέμεν]ος, ὅπως τοῦτο ἄσυ[λον ὑπάρχηι, | περί τε τῶν ἀ]π[ολωλ]ότ[ων αὐτοῖς ἐν τῶι πολέμωι, ὅπως] | ἡ σ[ύγ]κλ[ητος τῶι ἄρ]χοντ[ι τ]ῶι εἰς Ἀσίαν πορευομένωι ἐντολὰς || δῶι, ἵνα φρο[ντίσ]ηι καὶ ἐπιστροφὴν ποιήσηται, ὅπως τὰ ἐμφανῆ | αὐτοῖς ἀποδοθῆναι φροντίσηι, τούς τε αἰχμαλώτους | κομίσωνται περί τε τῶν [λ]οιπῶν ἵνα τύχωσι τῶν δικαίων· | ὅπως τε πρεσβευταῖς τοῖς παρὰ Στρατονικέων εἰς Ῥώμην | παρεσομένοις ἐκτὸς τοῦ στίχου οἱ ἄρχοντες σύγκλητον διδῶσ[ιν·] || περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν· πρεσβευταῖς | Στρατονικέων κατὰ πρόσωπον ἐν τῆι συγκλήτωι φιλανθρώ|πως ἀποκριθῆναι, χάριτα φιλίαν συμμαχίαν ἀνανεώσασθαι, | τοὺς πρεσβευτὰς ἄν[δρα]ς καλοὺς καὶ ἀγαθοὺς καὶ φίλους | συμμάχους τε ἡμε[τέρο]υς παρὰ δήμου καλοῦ καὶ ἀγαθοῦ || καὶ φίλου συμμάχου [τε ἡμ]ετέρου προσαγορεῦσαι ἔδοξεν. | Περί τε ὧν οὗτοι οἱ [πρεσβευ]ταὶ λόγους ἐποιήσαντο καὶ περ[ὶ ὧν] | Λεύκιος Κορνήλι[ος Σύλλα]ς Ἐπαφρόδιτος δικτάτωρ λόγο[υς | ἐποιήσατο, γνωστὸν εἶναι Ῥωμ]αίοις [κατὰ τὰς ἀποσταλείσας | παρ]ὰ τῶν Ἀσίαν τήν τε Ἑλλάδα [διακατασχόντων τῶν τε ἐν || ταύτα]ις ταῖς ἐπαρχείαις πρεσβευ[τῶν γεγενημένων ἐπιστολὰς | τοὺς] Στρατονικεῖς τήν τε φιλίαν κ[αὶ πίστιν καὶ εὔνοιαν πρὸς τὸν | δῆ]μον τὸν Ῥωμαίων διὰ τέλους [ἐν καιρῶι εἰρήνης πολέμου | τε] (ἀ)εὶ συντετηρηκέναι στρατιώ[ταις τε καὶ σίτωι καὶ μεγάλαις | δαπάν]αις τὰ δημόσια πράγματα [τοῦ δήμου τοῦ Ῥωμαίων || προ]θυμότατα ὑπερησπικέναι π. . . . . . . . . . . . . . . . . . . . . . .|. .υς ὑπὲρ τῆς μεγαλοφροσύνη[ς τῆς ἑαυτῶν αὐτοῖς συμπε|πολ]εμηκέναι τοῖς τε βασιλέω[ς Μιθραδάτου ἡγεμόσιν | δυν]άμεσίν τε ἐπανδρότατα πε[ρὶ τῶν πόλεων τῆς Ἀσίας καὶ | τῆς] Ἑλλάδος ἀ[ν]τιτετάχθαι· || [περὶ τούτων τῶν πραγμάτων οὕτως ἔδοξεν· ἀρέσκειν τῆι συγ|κλήτωι ἀνδρῶν ἀγαθῶν] δικαίων [τε ἀπο]μνημ[ονεύειν καὶ προ|νοεῖν ὅπως Λεύκι]ος Κορνήλιος Σύλλας Ἐπαφρόδιτ[ος | δικτάτωρ τὸν ἀν]τιταμίαν ξένια αὐτοῖς κατὰ τὸ διάτα[γμα δοῦ|ναι κελεύσηι, οἷς] τε νόμοις ἐθισμοῖς τε ἰδίοις πρότερον || [ἐχρῶντο, τούτοις] χράσθωσαν· | [ὅσους τε νόμους αὐτο]ὶ ψηφίσματά τε ἐποίησαν τούτου τοῦ [πολέ|μου ἕνεκεν τοῦ πρ]ὸς Μιθραδάτην γενομένου, ἵνα τούτο[ις ταῦτα | πάντα κύρια ὑπάρ]χωσιν· ἅς τέ τινας τῆς

*τούτων ἀρετῆ[ς καταλο|γῆς τε ἕνεκεν μετ]ὰ συμβουλίου γνώμης Λεύκιος Σύλ[λας αὐ||τοκράτωρ τοῖς αὐ]τοῖς προσώρισεν συνεχώρησεν [πολιτεί|ας προσόδους χω]ρία κώμας λιμένας τε τούτο[ις, ἵνα ταῦτα | αὐτοῖς ἔχειν ἐξῆι· τό]ν τε δῆμον τὸν Ῥωμαίων [. . . . . . . . . . . . . .|. . . . . . . . . . . . . προση]κόντως ἀξίως τε αὐτ[οῦ. . . . . . . . . . . . . . . . . . . . . . . . .|. . . . . .] τά τε Στρατονικεῦσιν [ἐψηφισμένα. . . . . . . . . . . . . . . . . . . . .||. . . . . . .] ἀποδεκ[τὰ ὑπάρχει]ν δεῖν· | [ὅπω]ς τε Λεύκιος Κορνήλι[ος Σύλ]λας Ἐπαφρόδιτος δικτάτ[ωρ, ἐὰν αὐτῶι | φα]ίνηται, ἃς αὐτὸς αὐτοκράτωρ Στρατονικεῦσιν πολι[τείας | κ]ώμας χώρας λιμένας τε προσώρισεν, ἐπιγνῶι διατάξη[ι ὅσας ἑκάστη] | προσόδους Στρατονικεῦσιν τελῆι· || [ἐά]ν τε διατάξηι, πρὸς ταύτας τὰς πολιτείας, ἃς Στρ[ατονικεῦσιν] | προσώρισεν, γράμματα ἀποστείληι, ἵνα τοσοῦτον τ[έλος] | Στρατονικεῦσιν τελῶσιν· | [τ]οῦτό τε, οἵτινες ἂν ποτε ἀεὶ Ἀσίαν τήν τε Ἑλλάδα ἐ[παρχείας | δια]κατέχωσιν, φροντίζωσιν διδῶσίν τε ἐργασίαν, ἵν[α ταῦτα]|| οὕτως γίν[ω]νται. | Τὸ [ἱερ]ὸν τῆς Ἑ[κάτης] ὅπως ἦ[ι ἄσυλον·] | ἀνθύπατος ὅστις ἂν ἀεὶ Ἀσίαν ἐπ[αρχείαν] | διακατέχηι, ἐπιγνώτω ἅτινα αὐτοῖς ἄ[πε]στιν | οἵ τέ τινες ταῦτα διήρπασαν οἵ τέ τινε[ς δ]ιακατέ||χουσιν αὐτά, ἵνα παρ' αὐτῶν ἀποδοθῆναι ἀποκατα|σταθῆναι φροντίσηι· ἵνα τε τοὺς αἰχμαλώτους | ἀνακομίσασθαι δύνωνται ὑπέρ τε τῶν λ[ο]ιπῶν | πραγμάτων τῶν δικαίων τύχωσιν ο[ὕ]τ[ω κα]θὼς ἂν | αὐτοῖς ἐκ τῶν δημοσίων πραγμάτ[ων πίσ]τεώς || τε τῆς ἰδίας φαίνηται· ἔδοξεν. | Στέφανόν τε τὸν παρὰ τοῦ δήμου | [τῆι συγκλήτωι] ἀπεσταλμένον, οὗ ἂν Λεύκιος [Κορνήλ]ιος | Σύλλας Ἐπαφρόδιτος δικτάτ[ωρ | ἡγ]ῆται [ἀγαθὸν ὅπως ἀναθεῖναι αὐτοῖς || ἐξῆι, θυσίαν τε ἐν τῶι Καπετωλίωι ἂν θέ|λωσιν ὅπως αὐτοῖς ποιῆσαι ἐξῆι. | Τοῖς τε πρεσβευταῖς παρὰ Στρατονικέων εἰς | Ῥώμην παρεσομένοις ἔδοξε σ]ύγκλητον | [ὑπὸ τῶν ἀρχόντων ἐκτὸς τοῦ στίχου δίδ]οσθαι. Ἔδοξεν.*

From Lagina. The city of Stratonicea had remained loyal to the Romans in the struggle with Mithradates. This decree of the senate confirms the action taken by the dictator Sulla in regard to the city. The alliance with Rome is renewed. The citizens are allowed to keep their own laws and customs. Their legislation during the invasion of Mithradates is confirmed. Sulla is authorized to determine the amount of tribute which should be paid to the city by the towns and villages which he has assigned to Stratonicea. The shrine of Hecate is granted the privilege of asylum (Tac. *Ann.* 3. 62). *Cf.* nos. 15, 16, 67.

## 18. SENATUS CONSULTUM DE AMPHIARAI OROPI AGRIS

(73 a. Chr.)

Viereck, *Sermo Graecus*, 18; *IG.* VII, 413; de Ruggiero, *L'arbitrato pubblico*, 25; Bruns, 42; Ditt. *Syll.*³ 747; Riccobono, p. 209.

Μ[άαρκ]ος Τερέντιος Μαάρκου υἱὸς Οὐάρρων Λεύκολλος, Γάϊος Κάσιος Λευκί[ου υἱὸς | Λογ]γῖνος ὕπατοι Ὠρωπίων ἄρχουσιν βουλῇ δήμωι χαίρειν. Εἰ ἔρρωσθε, εὖ ἂν ἔχ[οι]. |Ὑμᾶς εἰδέναι βουλόμεθα, ἡμᾶς κατὰ τὸ τῆς συνκλήτου δόγμα τὸ γενόμενον ἐ[πὶ Λευκί]|ου Λικινίου Μαάρκου Αὐρηλίου ὑπάτων ἐπεγνωκέναι περὶ ἀντιλογιῶν τῶν ἀνάμ[εσον] || θεῶι Ἀμφιαράωι καὶ τῶν δημοσιωνῶν γεγονότων ⟨ἐπεγνωκέναι⟩.

Πρὸ μιᾶς εἰ[δυῶν] | Ὀκτωμβρίων ἐμ βασιλικῇ Πορκίᾳ ἐν συμβουλίωι παρῆσαν Μάαρκος Κλαύδιος Μαάρκ[ου] | υἱὸς Ἀρνήσσης Μαάρκελλος, Γάϊος Κλαύδιος Γαΐου υἱὸς Ἀρνήσσης Γλάβερ, | Μάαρκος Κάσιος Μαάρκου υἱὸς Πωμεντίνα, Γάϊος Λικίνιος Γαΐου υἱὸς | Πωμεντίνα, Γάϊος Λικίνιος Γαΐου υἱὸς Στηλατίνα⟨ς⟩ Σακέρδως, || Λεύκιος Οὐολύσκιος Λευκίου υἱὸς Ἀρνιήσσης, Λεύκιος Λάρτιος Λευκίου υἱὸς | Πηπιρία, Γάϊος Ἀνναῖος Γαΐου υἱὸς Κλυτομίνα, Μάαρκος Τύλλιος Μαάρκου υἱὸς | Κορνηλία Κικέρων, Κόϊντος Ἄξιος Μαάρκου υἱὸς Κυρίνα, Κόϊντος Πομπήϊος Κοΐν|του υἱὸς Ἀρ[νιή]σσης Ῥοῦφος, Αὖλος Κασκέλλιος Αὔλου υἱὸς ὁ υἱὸς Ῥωμιλία, | Κόϊντος Μυνύκιος Κοΐντου υἱὸς Τηρηντίνα Θέρμος, Μάαρκος Ποπλίκιος || Μαάρκου υἱὸς Ὁρατία Σκαιούας, Τίτος Μαίνιος Τίτου υἱὸς Λεμωνία, Λεύκιος | Κλαύδιος Λευκίου υἱὸς Λεμωνία.

Περὶ ὧν Ἑρμόδωρος Ὀλυμπίχου υἱός, ἱερεὺς | Ἀνφιαράου, ὅστις πρότερον ὑπὸ τῆς συνκλήτου σύνμαχος προσηγορευμέ|νος ἐστίν, καὶ Ἀλεξίδημος Θεοδώρου υἱός, Δημαίνετος Θεοτέλου υἱός, πρεσβευ|ταὶ Ὠρωπίων, λόγους ἐποιήσαντο

> ἐπ(ε)ὶ ἐν τῷ τῆς μισθώσεως νόμῳ αὗται αἱ || χῶραι ὑπεξειρημέναι εἰσίν, ἃς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν

τεμενῶν | φυλακῆς ἕνεκεν συνεχώρησεν ⟨ὑπεξειρημέναι εἰσίν⟩, ταύτας τε τὰς προσ|όδους, περὶ ὧν ἄγεται τὸ πρᾶγμα, Λεύκιος Σύλλας τῶι θεῶι Ἀμφιαράωι πρ(ο)σώιρι|σεν(!), ὅπως ὑπὲρ τούτων τῶν χωρῶν πρόσοδον τῶι δημοσιώνῃ μὴ τελῶσιν· |

καὶ περὶ ὧν Λεύκιος Δομέτιος Αἰνόβαλβος ὑπὲρ δημοσιωνῶν εἶπεν ||

ἐπεὶ ἐν τῶι τῆς μισθώσεως νόμωι αὗται αἱ χῶραι ὑπεξειρημέναι εἰσίν, | ἃς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν φυλακῆς ἕνεκεν | συνεχώρησεν, οὔτε ὁ Ἀμφιάραος, ὧι αὗται αἱ χῶραι συνκεχωρημέναι | λέγονται, θεός ἐστιν, ὅπως ταύτας τὰς χώρας καρπίσζεσθαι ἐξῇ | τοὺς δημοσιώνας·

ἀπὸ συνβουλίου γνώμης γνώμην ἀπεφηνά||μεθα· ὃ ἐπέγνωμεν τῆι συνκλήτωι προσανοίσομεν, τοῦτο ὃ καὶ | εἰς τὴν τῶν ὑπομνημάτων δέλτον κατεχωρίσαμεν·

περὶ χώρας | Ὠρωπίας, περὶ ἧς ἀντιλογία ἦν πρὸς τοὺς δημοσιώνας, κατὰ τὸν τῆς | μισθώσεως νόμον αὕτη ὑπεξειρημένη ἐστίν, ἵνα μὴ ὁ δημοσιώ|νης αὐτὴν καρπίζηται·

κατὰ τὸ τῆς συνκλήτου δόγμα ἐπέγνωμεν. ||

Ἐν τῷ τῆς μισθώσεως νόμῳ ὑπεξειρημένην δοκεῖ εἶναι οὕτως· | ἐκτός τε τούτων ἢ εἴ τι δόγμα συνκλήτου, αὐτοκράτωρ αὐτοκράτορές τ[ε] | ἡμέτεροι καταλογῆς θεῶν ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς | καρπίζεσθαι ἔδωκαν κατέλιπον, ἐκτός τε τούτων, ἃ Λεύκιος | Κορνήλιος Σύλλας αὐτοκράτωρ ἀπὸ συνβουλίου γνώμης θεῶν || ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς ἕνεκεν καρπίζεσθαι ἔδωκεν, | ὃ τὸ αὐτὸ ἡ σύνκλητος ἐπεκύρωσεν οὔτε μετὰ ταῦτα δόγματι | συνκλήτου ἄκυρον ἐγενήθη. *A*

Λεύκιος Κορνήλιος Σύλλας ἀπὸ συν|βουλίου γνώμης γνώμην εἰρηκέναι δοκεῖ·

τῆς εὐχῆς ἀποδόσεως | ἕνεκεν τῶι ἱερῷ Ἀμφιαράου χώραν προστίθημι πάντῃ πάντοθεν πόδας || χιλίους, ἵνα καὶ αὕτη ἡ χώρα ὑπάρχῃ ἄσυλος

ὡσαύτως τῶι θεῷ Ἀμφιαράωι | καθιερωκέναι

τῆς πόλεως καὶ τῆς χώρας λιμένων τε τῶν Ὠρωπίων | τὰς προσόδους ἁπάσας εἰς τοὺς ἀγῶνας καὶ τὰς θυσίας, ἃς Ὠρώπιοι | συντελοῦσιν θεῷ Ἀμφιαράωι, ὁμοίως δὲ καὶ ἃς

ἂν μετὰ ταῦτα ὑπὲρ τῆς | νίκης καὶ τῆς ἡγεμονίας τοῦ δήμου τοῦ Ῥωμαίων συντελέσουσιν, || ἐκτὸς ἀγρῶν τῶν Ἑρμοδώρου Ὀλυνπίχου υἱοῦ, ἱερέως Ἀμφιαράου, τοῦ | διὰ τέλους ἐν τῇ φιλίᾳ τοῦ δήμου τοῦ Ῥωμαίων μεμενηκότος.

Περὶ τού|του τοῦ πράγματος δόγμα συνκλήτου ἐπὶ Λευκίου Σύλλα Ἐπαφροδίτου, | Κοΐντου Μετέλλου Εὐσεβοῦς ὑπάτων ἐπικεκυρωμένον δοκεῖ εἶναι, | ὅπερ ἡ σύνκλητος ἐδογμάτισεν εἰς τούτους τοὺς λόγους·

ὅσα τε θεῶι || Ἀμφιαράωι καὶ τῶι ἱερῷ αὐτοῦ Λεύκιος Κορνήλιος Σύλλας ἀπὸ συ(μ)βουλίου | γνώμης προσώρισεν συνεχώρησεν, τὰ αὐτὰ ἡ σύνκλητος τούτωι τῶι θεῶι | δοθῆναι συνχωρηθῆναι ἡγήσατο.

Ἐν τῶι συμβουλίωι παρῆσαν | οἱ αὐτοὶ οἳ ἐμ πραγμάτων συμβεβουλευμένων δέλτωι πρώτηι, | κηρώματι τεσσαρεσκαιδεκάτωι.

Δόγμα συνκλήτου τοῦτο γενόμενόν || ἐστιν· πρὸ ἡμερῶν δεκαεπτὰ καλανδῶν Νοενβρίων ἐν κομετίωι· | γραφομένου παρῆσαν Τίτος Μαίνιος Τίτου υἱὸς Λεμωνία, | Κόϊντος Ῥάγκιος Κοΐντου υἱὸς Κλαυδία, Γάϊος Οὐσέλλιος Γαΐου | υἱὸς Κυρίνα Οὐάρρων· περὶ ὧν Μάαρκος Λεύκολλος, Γάϊος Κάσιος | ὕπατοι ἐπιγνόντες ἀπήνγειλαν περὶ Ὠρωπίας χώρας καὶ τῶν || δημοσιωνῶν ἑαυτοὺς ἐπεγνωκέναι, ὡσαύτως τὴν Ὠρωπίων | χώραν ὑπεξειρημένην δοκεῖν εἶναι κατὰ τὸν τῆς μισθώσεως νόμον, | μὴ δοκεῖν τοὺς δημοσιώνας ταῦτα καρπίζεσθαι· οὕτως, | καθὼς ἂν αὐτοῖς ἐκ τῶν δημοσίων πραγμάτων πίστεώς τε τῆς | ἰδίας ἐφαίνετο, ἔδοξεν.

From Oropus. We have included in this collection only a few of the examples of arbitration in the cities under the jurisdiction of Rome (*cf.* no. 8). The citizens of Oropus had received from Sulla certain revenues from lands and customs to be devoted to the worship of the god Amphiaraus. The sources of this income could not be taxed by the *publicani* in collecting the tithes from the province. After the death of Sulla the *publicani* sought to collect the former tax from the Oropians, claiming that Amphiaraus was not a god, since he had once been a mortal (Cic. *de deor. nat.* 3. 49). Oropus protested their claim, sending an embassy to Rome. The senate referred the matter to the consuls for arbitration. They chose a

committee of fifteen senators who reviewed the evidence and decided in favor of Oropus. The document contains the letter of the consuls to the Oropians, the decision of the committee appointed to arbitrate the case, the record of Sulla's action, and the decree of the senate confirming it, and, finally, the decree of the senate confirming the decision of the court of arbitration. *Cf.* nos. 8, 46, 57, 104.

### 19. LEX ANTONIA DE TERMESSIBUS
(ca. 71 a. Chr.)

*CIL.* 1, 204; Bruns, 14; Dessau, 38; Girard, pp. 68–70; Riccobono, pp. 105–107.

C. Antonius M. f., Cn. Corne*lius . .f.*, *Q. Marcius . .f.*, *L. Hostilius . .f.*, *C. Popilius . .f.*, *M. Valerius . .f.*, *C. Antius . .f.*, *Q. Caecilius . .f.*, *L. V. . . . . . .f.* , | C. Fundanius C. f. tr. pl. de s. s. plebem *ioure rogaverunt* . . . . . . . . . . . . . | preimus scivit. |

Col. I

Quei Thermeses maiores Peisidae fuerunt, queique | eorum legibus Thermesium maior*u*m Pisidarum | ante k. April., quae fuerunt L. Gellio Cn. Lentulo cos., | Thermeses maiores Pisidae factei sunt, queique || ab ieis prognati sunt erunt, iei omnes | postereique eorum Thermeses maiores Peisidae | leiberei amicei socieique populi Romani sunto, | eique legibus sueis ita utunto, itaque ieis | omnibus sueis legibus Thermensis maioribus || Pisideis utei liceto, quod advorsus hanc legem | non fiat. |

Quei agrei quae loco aedificia publica preivatave | Thermensium maiorum Pisidarum intra fineis | eorum sunt fueruntve L. Marcio Sex. Iulio cos., || quaeque insulae eorum sunt fueruntve ieis | consolibus, quei supra scriptei sunt, quodque | earum rerum ieis consulibus iei habuerunt | possederunt us*ei fructeique* sunt, quae de ieis rebus | locata non s*unt, utei antea habeant possideant; q*uaeque || de ieis rebus *agreis loceis aedificieis locata su*nt, ac ne | locentur *sancitum est sanctione*, *q*uae facta | est e*x* l*ege rogata L. Gellio Cn. Lentulo cos.*, *ea* omnia | Ther*meses maiores Pisidae habean*t possideant, | ieisque *rebus loceis agreis aedificieis utantur fr*uantur || ita, utei ant*e* *Mitridatis bellum, quod p*reimum | fuit, habueru*nt possederunt usei fruct*eique sunt. |

Quae Thermensorum m*aioru*m Pisidarum publica | preivatave

praeter loca*ta* agros aedificia sunt | fueruntve ante bellum Mitridatis, quod preimum || factum est, quodque earum rerum iei antea | habuerunt possederunt usei fructeive sunt, | quod eius ipsei sua voluntate ab se non abalienarunt, | ea omnia Termensium maiorum Pisidarum, utei sunt | fuerunt, ita sunto, itemque ieis ea omnia || habere possidere uutei frueique liceto. |

Col. II Quos Thermenses maiores Pisidae leiberos servosve | bello Mitridatis ameiserunt, magistratus pr*ove* | magistratu, quoia de ea re iuris dictio erit, qu*oque* | de ea re in ious aditum erit, ita de ea re ious || deicunto iudicia recuperationes danto, utei ie*i* eos recuperare possint. |

Nei quis magistratus prove magistratu legatus ne*ive* | quis alius meilites in oppidum Thermesum maiorum | Pisidarum agrumve Thermensium maiorum | Pisidarum hiemandi caussa introducito, neive || facito, quo quis eo meilites introducat quove ibei | meilites hiement, nisei senatus nominatim, utei Thermesum | maiorum Pisidarum in hibernacula meilites | deducantur, decreverit; neive quis magistratus | prove magistratu legatus neive quis alius facito || neive inperato, quo quid magis iei dent praebeant | ab ieisve auferatur, nisei quod e*o*s ex lege Porcia | dare praebere oportet oportebit. |

Quae leges quodque ious quaeque consuetudo L. Marcio | Sex. Iulio cos. inter civeis Romanos et Termenses || maiores Pisidas fuit, eaedem leges eidemque ious | eademque consuetudo inter ceives Romanos et | Termenses maiores Pisidas esto; quodque quibusque | in rebus loceis agreis aedificieis oppideis iouris | Termensium maiorum Pisidarum ieis consulibus, || quei supra scriptei sunt, fuit, quod eius praeter | loca*ta* agros aedificia ipsei sua voluntate ab se non | abalienarunt, idem in eisdem rebus loceis agreis | aedificieis oppideis Termensium maiorum Pisidarum | ious esto; et quo minus ea, quae in hoc capite scripta || sunt, ita sint fiant, eius hac lege nihilum rogatur. |

Quam legem portorieis terrestribus maritumeisque | Termenses maiores Phisidae capiundeis intra suos | fineis deixserint, ea lex ieis portorieis capiundeis | esto, dum nei quid portori ab ieis capiatur, quei publica || populi Romani vectigalia redempta habebunt. Quos | per eorum fineis publicani ex eo vectigali transportabunt | . . . . . . . . (*continuabatur in tabula deperdita*).

Bronze tablet found in Rome in the sixteenth century, now in the museum at Naples. The inscription is engraved in two columns. The second column begins with the words *Quos Thermenses.* The heading, *I de Termesi. Pisid. mai.*, shows that this is the first of several tablets which made up the original law. The Ambrosian Library at Milan has a copy of the first tablet, which purports to have been made by Mariangelus Accursius shortly after the discovery of the tablet. From this copy certain missing words have been supplied in the *CIL.*; but Bormann (*Festschrift Hirschfeld*, 434 *ff.*) has given reasons for believing that the tablet was defective when found, and that the added words are conjectures of Accursius. They are here printed in italics (col. 1, ll. 18 *ff.*). *Thermeses maiores Peisidae* (or Τερμησσεῖς οἱ μείζονες) distinguishes this town from Τερμησσεῖς οἱ πρὸς Οἰνοάνδοις. Many other inscriptions have been found on its site; *cf.* *Jahreshefte d. öst. archäol. Inst.* 3 (1900), 196 *ff.*; *B.C.H.* 23 (1899), 165 *ff.*, 280 *ff.*; 24 (1900), 334 *ff.*

The *praescriptio* shows that the law is a plebiscite, submitted by C. Antonius, Cicero's colleague in 63 B.C., and certain other tribunes. The names of the other tribunes have been supplied from the list of the colleagues of Antonius given in *CIL.* 1, 593. The presence of the phrase *de senatus sententia* in the *praescriptio* seems to fix the date of the plebiscite before 70 B.C., because the legislation of Sulla forbidding the tribunes to submit a measure to the popular assembly until the senate has taken action on it is apparently still in force. The document is subsequent to 72 B.C., the year of the consulship of Gellius and Lentulus, and probably falls in 71 B.C. Probably these privileges were granted to Termessus because of her loyalty in the Mithradatic wars. For other cities whose loyalty was rewarded in a similar way, *cf.* nos. 15, 16, 17, and 21. By virtue of this law Termessus became a *civitas sine foedere immunis et libera.* For an analysis of the rights of such a city, *cf.* pp. 42 *ff.* and Mommsen, *St. R.* 3, 686 *ff.*

The people of Termessus are styled *leiberei amicei socieique populi Romani.* They are given the right *legibus sueis uti*, the possession of their land without the payment of a *stipendium*, freedom from the billeting of troops, and payment for necessary requisitions made

upon them. Their rights over against Roman citizens are guaranteed, and they may collect *portoria terrestria maritumaque*. Their right *legibus sueis uti* (*cf.* no. 40) is however limited by the proviso, *quod advorsus hanc legem non fiat*, and the billeting of troops may be authorized by a special vote of the Roman senate. No mention is made of the rights of coinage or of receiving exiles. With regard to the property rights granted to the people of Termessus in ll. 27–35, *cf.* Bormann, *op. cit.* 439.

## 20. LEX MUNICIPI TARENTINI

(88–62 a. Chr.?)

Dessau, 6086; Bruns, 27; Riccobono, p. 132; Girard, p. 61.

. . ne esse liceat neive qu*is* quod eius municipi pequniae publicae sacrae | religios‹s›ae est erit fra*u*dato neive av*o*rtito neive facito quo eorum | quid fiat, neive per li*tt*eras publicas fraudemve publicum peius | facito d(olo) m(alo). Quei faxit, quant*i* ea res erit quadruplum multae esto, || eamque pequniam mu*n*icipio dare damnas esto eiusque pequniae | magistratus quei quomque in municipio erit petitio exactioque esto. |

IIIIvir(ei) aedilesque quei h. l. primei erunt quei eorum Tarentum venerit, | is in diebus xx proxumeis quibus post h. l. datam primum Tarentum venerit | facito quei pro se praes stat praedes praediaque ad IIIIvir(os) det quod satis || sit, quae pequnia public*a* *sa*cra religiosa eius municipi ad se in suo magistratu | pervenerit, eam pequni*a*m municipio Tarentino salvam recte esse futur*a*m, | eiusque rei rationem *red*diturum ita utei senatus censuerit. Isque IIIIvir, | quoi ita praes dabitur, ac*c*ipito idque in tabu*leis* *p*ubliceis scriptum sit | facito. Quique quomqu*e* comitia duovireis a*ed*ilibusve rogandeis || habebit, is antequam maior pars curiarum quemque eorum quei | magistratum eis comitieis petent renuntiabit, ab eis quei petent praedes | quod satis sit accipito, *q*uae pequnia publica sacra religiosa eius municipi | *ad* quemque eorum in eo magistratu pervenerit, eam pequniam municipio | Tarentino salvam rec*te* ess*e* *futu*ram, *ei*usque rei ration*e*m redditurum || ita utei senatus ce*nsu*erit, *i*dque in *tabul*eis publiceis scriptum sit facito, | quodque *quoi*que neg*oti* *pub*lice in m*unicipio* de s(enatus) s(ententia) datum erit negotive | publicei gesserit pequniamque publicam *deder*it exegerit, is quoi ita negotium | datum erit negotive quid publice gesser*it* pequniamve publicam dederit | exegerit, eius rei rationem senatui reddito refertoque in di*eb*us X proxume*is* || quibus senatus eius municipi censuer*it* sine d(olo) m(alo). |

Quei decurio municipi Tarentiei est erit queive in municipio Tarenti*no in* | senatu sententiam deixerit, is in o*pp*ido Tarentei aut intra eius muni*cipi* | fineis aedificium quod non minu*s* MD tegularum tectum sit habeto *sine* | d(olo) m(alo). Quei eorum ita aedificium suom non habebit seive quis eorum || aedificium emerit mancupiove acceperit quo hoic legi fraudem f*axit*, | is in annos singulos HS n. IↃↃ municipio Tarentino dare damnas esto. |

Nei quis in oppido quod eius municipi *e*rit aedificium detegito neive dem*olito* | neive disturbato nisei quod non deterius restituturus erit nisei d*e* s(enatus) s(ententia). | Sei quis adversus ea faxit, quant*i* id aedificium f*u*erit, tantam pequni*a*m || municipio dare damnas esto eiusque pequniae *qu*ei vol*e*t petiti*o* est. | Magi(stratus) quei exegerit dimidium in *p*ublicum referto dimidium in l*u*deis quos | publice in eo magistratu facie*t* consumito, seive ad monumentum suom | in publico consumere volet l*icet*o, idque ei s(ine) f(raude) s(ua) facere liceto. |

Sei quas vias fossas cloacas IIIIvir IIvir aedilisve eius municipi caussa || publice facere immittere commutare aedificare munire volet, intra | eos fineis quei eius municipi erun*t*, quod eius sine iniuria fiat, id ei facere | liceto. |

Quei pequniam municipio Tarentin*o* non debebit sei quis eorum quei | municeps erit neque eo sexennio *p*roxumo, quo exeire volet, duovirum.

(*reliqui versus, maxime mutili, omissi sunt*)

The charter of Tarentum was engraved on a brass tablet. Of the original, only a fragment of the ninth table, found in an ancient well, is now preserved in the museum of Naples.

Tarentum was founded as a Roman colony by Gracchus in 123 B.C. To this settlement the name Neptunia was given. After the Social war Tarentum obtained the *civitas Romana* and became a *municipium*. The date of this charter, which was a *lex data*, cannot be determined with exactness. It is not earlier than 89 B.C. and

possibly should not be dated later than 62 B.C., when Cicero refers to Tarentum as a *municipium* (*pro Archia*, 5. 10). Yet Tarentum could be called a municipality at any time after the Social war, and the date of the speech for Archias is not necessarily a *post quod non* (*cf.* Hardy, *Six Roman Laws*, 104). It is possible that the charter was given as a result of Pompey's act in establishing some of the eastern pirates on the site of the old Roman colony (*cf.* Mommsen, *Ges. Schr.* I, 151, n. 18). In this case the *lex* would date from the year 59 when Pompey's acts were finally ratified.

The extant portion of the charter deals with the peculation of public, sacred, and religious funds (ll. 1–6). In ll. 7–25 the charter provides for the *cautio* of magistrates (*cf.* no. 65, chap. 70). Since the first magistrates could not furnish securities to their predecessors, they were required to give them to quattuorvirs, who may have been the commissioners sent out from Rome (Mommsen, *op. cit.* I, 156), or the clause may mean that the first magistrates gave a *cautio* to their colleagues in turn (Hardy, *op. cit.* 106, n. 2).

The members of the local curia are required to own a house within the territory of the municipality, and this dwelling must have not less than 1500 tiles on the roof. For this method of estimating property, *cf.* the tax paid by Roman senators in 43 B.C. of 4 obols for each tile (Cass. Dio, 46. 31). The law regarding the demolition of houses (ll. 32–38), and that regarding the right of officials to do paving or to dig drains (ll. 39–42) may be found with slight changes in the charter of Urso (no. 26, chapp. 75, 77). The clause contained in ll. 43 *ff.* was designed to check ex-officials from leaving the city before they had discharged all the liabilities which might have been incurred in the performance of their office.

## 21. LEX GABINIA CALPURNIA DE DELIIS

(58 a. Chr.)

Durrbach, *Choix d'inscr. Délos*, 163; *Suppl. Ep. Gr.* I, 335.

*A. Gabinius A. f. Capito cos., L. Calpurnius L. f. Piso cos. de*
*s*(*enatus*) *s*(*ententia*) *populu*m iuure r*ogavere populusque iuure scivit*. .
*pro aede* Castor(is) a(nte) d(iem) VI ka*l*(*endas*) (mensis). *Tribus*. .
*principium fuit*, A. Gabinius A. f. Capito pro *tribu primus scivit*: ||
*Velitis iu*beatis. Quom res publica pot. . .*divinis*. .bus ac consilieis

sit aucta q*uomque*. . . .*cl*arissumae ceivitatis sit confirma*ta*. . . . decorata, in quo numero fanum A*pollinis*. . . .*antiquissum*um ac religiosissumum sit constitutu*m*. .||. .em et sanctitatem caerimoniasq(ue) pr. . . .*Delum* insulam, in qua insula Apollinem et Dianam n*atos esse arbitrantur*?, vecteigalibus leiberari, quae insula post hominum me*moriam semper fuit*? regum ceivitatium nationumque imperieis sacra leib*era immunis*? *q*uomque praedones, quei orbem te*r*rarum complureis *annos vexarint*? || *fan*a delubra simu*la*cra deorum immor*t*alium loca religio*sissuma devast*arint, lege Ga*b*inia superatei ac deletei s*i*nt, et omneis rel*iqua* praeter insu*l*am Delum sedes Apollinis ac Dianae in antei*quom splendor*em sit rest*it*uta populeique Romani dign*it*atis maiestatis*que causa*? *pulcher*rume administrata, imperio am*pli*ficato *p*ace per orbe*m terrarum* || *il*lam insul*a*m nobilissumam ac sa*nc*tissum*a*m deis immo*rtalibus restitui*? *et in*sulam l*ei*berari. Neve. . . . .sit. . .quom vectigal eius. .*adiudi*catione quam I. C. A. . .sup. (?) Delei feceru*nt*. . ., neve quid aliud vec*teigal neve pro* custodia publicei fr*umenti neve* quis post*ea* insula*s illas vicin*as *qu*ae circum De*lum iacent* || Artemeitam C. Iadeam. . . . as locet neve. . .et eas insulas *fa*ciat. .*quei* (?) Delum inc*olunt queique postea* incolent vect*ei*gal. . .iure insul*as*?. . . .verunt, fuerunt. . .Mitridates in. . .m iure insula Delus *queique eam in*colent sint c. .||.udemve quam int. . .*De*lumque ad. . .Delum queique eam inc*olent insulas*ve quae s(upra) s(criptae) s(unt). . .*s*ei eius familia pe*cuniave plus* minus dim*inuta sit*. . .ere populei pleb*isve* . it magist*ratus prove magistratu* . ua iudicatioque. . .interced. . . *quominu*||s setiusve d(e) e(a) r(e) i*udicetur sive* iudicium *fiat liceto*. S(i) s(acrum) s(anctum) e(st) q(uod) *n*(*on*) *i*(*ure*) *s*(*it*) *r*(*ogatum*), *e*(*ius*) *h*(*ac*) *l*(*ege*) n(ihil) r(ogatur).

[Αὖλος Γ]αβείνιος Αὔλου υ[ἱὸς Καπίτων] ὕπ[ατος καὶ Λεύκιος Καλπούρνιος Λευκί|ου. .υἱὸ]ς Πείσων ὕπατο[ς. . . . . | δικαί]ως ἐκύρω[σε. . . .||. . .πρὸ ἡμερ]ῶν ἓξ καλ[ανδῶν. . . . . .

From Delos. The date of the document is fixed by the names of the consuls at the head of the Greek text. The law was passed by the senate and confirmed by the *comitia tributa* (Cuq, *B.C.H.* 46 (1922), 201 *ff.*). Delos had suffered severely under Mithradates and from the raids of the pirates until Pompey cleared the latter from the seas. The Delians were granted immunity from certain

taxes—probably the tithes,—and from the accessory expense of convoying or transporting grain to Rome. The island was also made free although it was still under the control of Athens (Cuq, *loc. cit.* 209 *ff.*). The implications of this law are interesting. Delos, although under Athenian jurisdiction, seems to have paid tribute to Rome before the passage of the Gabinian law; otherwise the gift of immunity is meaningless. Similarly the Caunians paid tribute to Rome and Rhodes; *cf.* Dio Chrys. 31. 125; see also Livy, 41. 6; and Cic. *ad fam.* 13. 56.

The interpretation of ll. 30 *ff.* is uncertain. Apparently those who had suffered in the late wars and raids were given the right to appeal to Roman magistrates in preference to local or Athenian judges for the settlement of claims (*cf.* no. 19, col. II, ll. 1 *ff.*). Cuq points out (*loc. cit.* 210 *ff.*) that this provision indicates the policy of the Roman senate in binding cities to Rome, even though they enjoyed the status of *civitates liberae*, by giving them the advantages of appealing to Roman law and of being protected by Roman magistrates.

## 22. EPISTULA PROCONSULIS ASIAE AD PROVINCIALES

(ca. 56–50 a. Chr.)

Knackfuss, *Das Rathaus von Milet*, p. 101, ll. 38 *ff.*

. . . ρας . . . . . . ἐπ᾿ ἀκυρώσει ὧ[ν] ἀνείλ[ηφε καὶ Μάρ|κωι] Κικέρ[ων]ι συντυχὼν εὐχαρίστησε [τὰ ταχ]||θέντα ἐπ[ιμ]ελῶς συντηρῶν τὰ ἐπ᾿ ἐμ[οὶ μὴ δια(?)]|λύειν. Ὅθεν πῶς ὑμεῖς τήν τινων περὶ [ταῦτα ἀ]|ναίδειαν ἀνέσχησθε, τεθαύμακα· δι᾿ ἃς [αἰτίας] | πρός τε τὸ κοινὸν τῶν Ἑλλήνων γέγραφα, [πρὸς | ὑ]μᾶς, Ἐφεσίους, Τραλλιανούς, Ἀλαβανδεῖς, Μ[υ||λ]ασεῖς, Σμυρναίους, Περγαμηνούς, Σαρδιανο[ύς], | Ἀδραμυτηνούς, ἵνα τε ὑμεῖς πρὸς τὰς ἐν τῆι δ[ιοι|κ]ήσει τῆι ἰδίαι πόλεις διαποστείλησθε ἔν τε τῶι ἐπ[ι]|φανεστάτωι τόπωι ἐν στυλοπαραστάδι ἐπὶ | λίθου λευκοῦ ἐνχαραχθῆναι φροντίσητε τ[αῦ]||τα τὰ γράμματα, ἵνα κοινῶς πάσηι τῆι ἐπαρχεία[ι τὸ] | δίκαιον ἑσταμένον ἦι εἰς τὸν ἀεὶ χρόνον, αἵ τε ἄλ|λαι πᾶσαι πόλεις καὶ δῆμοι τὸ αὐτὸν παρ᾿ αὐτοῖς | ποιήσωσιν, εἴς τε τὰ δημόσια ἀποθῶνται νομο[φυλά]|κια καὶ χρηματιστήρια. Τὴν δὲ αἰτίαν δι᾿ ἣν Ἑλλη[νι]||κοῖς ἔγραψα, μὴ ἐπιζητήσητε· κατὰ νοῦν γὰρ [ἔσ]‖χον, μή τι παρὰ τὴν ἑρμηνείαν ἔλασσον τὰ [γεγραμ|μ]ένα νοῆσαι δύνησθε· τὴν δὲ ἐπιστολὴ[ν ἔδωκα | Τι]μοκλῆι Ἀναξαγόρου καὶ Σωσικράτηι Πυ[θίωνος | πρ]εσβευταῖς Μαγνήτων τῶν πρὸς τ[ῶι Μαιάν‖δρ]ωι. Ἔρρωσθε.

This inscription comes from Miletus. A fragment of the same letter is published in *Inschriften von Priene*, 106. Unfortunately both inscriptions are so fragmentary that the purpose of the letter cannot be determined. It is evident, however, that it was directed to the κοινόν of Greeks throughout the province, and probably contained regulations to be enforced uniformly throughout the district. In ll. 46 *f.* we have a reference to the *regiones* into which the province was divided by Sulla for administrative purposes (Marquardt, *St. Verw.* 1, 339). It is interesting to note that the writer explains his motive in publishing his edict in Greek instead of Latin (ll. 54 *ff.*). This might imply that letters and edicts issued by the Romans in the Greek provinces had hitherto been published in Latin, but, if so, they had been translated into Greek before they were recorded on stone in most cases where such records are found (*cf.* no. 65a). The governor also requires that copies of his letter be preserved in the proper archives in cities where copies were not engraved on stone.

## 23. PERGAMENI HONORANT PUBLIUM SERVILIUM ISAURICUM

(ca. 46 a. Chr.)

Ditt. *Or. Gr.* 449; Fraenkel, *Alterthümer von Pergamon*, 413.

Ὁ δῆμος ἐτίμησεν | Πόπλιον Σεροΐλιον Ποπλίου υἱὸν Ἰσαυρι|κόν, τὸν ἀνθύπατον, γεγονότα σωτῆρα καὶ | εὐεργέτην τῆς πόλεως καὶ ἀποδεδωκότα τῆι ‖ πόλει τοὺς πατρίους νόμους καὶ τὴν δημοκρα|τίαν ἀδούλωτον.

From Pergamum. The reforms in provincial government introduced by Caesar brought great relief to the provinces suffering from the exactions of the *publicani*. When Pergamum lost the right to use her own laws is unknown. Other inscriptions from Asia indicate the gratitude of the cities and the relief which they experienced under the new régime (*cf. Inschriften von Magnesia*, 142; Ditt. *Or. Gr.* 450).

## 24. TABULA HERACLEENSIS, VULGO LEX IULIA MUNICIPALIS

(45 a. Chr.)

*CIL.* 1, 206; Bruns, 18; Dessau, 6085; Girard, p. 80; Riccobono, p. 109.

. . . . . Quem h(ac) l(ege) ad co(n)s(ulem) profiterei oportebit, sei is, quom eum profiterei oportebit, Romae non erit, tum quei eius | negotia curabit, is e*a*dem omnia, quae eum, quoius negotia curabit, sei Romae esset, h. l. profiterei | oporte*re*t, item isdemque diebus ad cos. profitemino. |

Quem h. l. ad cos. profiterei oportebit, sei is pup(illus) seive ea pu(pilla) erit, tum quei eius pup(illi) pu(pillae)ve tutor erit, item eadem||que omnia in iisdem diebus ad cos. profitemino, ita utei e*t* quae quibusque diebus eum eamve, sei pup(illus) pu(pilla)ve non | es*se*t, h. l. profiterei oporteret. |

Sei cos., a*d* que*m* h. l. professiones fierei oportebit, Romae non erit, tum is, quem profiterei oportebit, quod eum profiterei | oportebit, ad pr(aetorem) ur(banum) aut, sei is Romae non erit, ad eum pr(aetorem), quei inter peregrinos ius deicet, profitem*i*no, ita utei | eum ad cos., sei tum Romae esset, h. l. profiterei oporteret. ||

Sei ex eis cos. et pr(aetoribus), ad quos h. l. professiones fierei oportebit, nemo eorum Romae erit, tum is, quem profiterei oportebit, | quod eum profiterei oportebit, ad tr(ibunum) pl(ebei) profitemino, ita ute*i* eum ad cos. pr(aetorem)*que* urb(anum) eumque quei inter peregri|nos ius deicet, sei tum Romae esset, h. l. profiterei oporteret. |

Quod quemquem h. l. profiterei oportebit, is, apud quem ea professio fiet, eius que*i* profitebitur nomen, et ea quae pro|fessus erit, et quo die professus sit, in tabulas publicas referunda curato, eademque omnia, quae uteique in tabulas || rettulerit, *i*ta in tabulam in album referunda | *curato*, idque aput *f*orum, et quom frumentum populo dabitur, ibei ubei frumen|tum populo dabitur, cottidie maiorem partem diei propositum habeto, u(nde) d(e) p(lano) r(ecte) l(egi) p(ossit). |

Queiquomque frumentum populo dab*i*t damdumve curabit, nei quo*i* eorum, quorum nomina h. l. ad cos. pr(aetorem) tr(ibunum) pl(ebei) in ta|bula in albo proposita erunt, frumentum dato neve dare iubeto neve sinito. Quei adversus ea eorum qu*o*i frumentum | dederit, is in tr(itici) m(odios) I HS IↃↃↃ populo dare damnas esto, eiusque pecuniae quei volet petitio esto. ||

Quae viae in urbe Rom(a) propiusve u(rbem) R(omam) p(assus) M, ubei continente habitabitur, sunt erunt, quoius ante aedificium earum quae | via er*i*t, is eam viam arbitratu eius aed(ilis), quoi ea pars urbis h. l. obvenerit, tueatur; isque aed(ilis) curato, uti, quorum | ante aedificium erit, quamque viam h. l. quemque tueri oportebit, ei omnes eam viam arbitratu eius tueantur, neve eo | loco a*qua* consistat, quominus conmode populus ea via utatur. |

Aed(iles) cur(ules) aed(iles) pl(ebei), quei nunc sunt, queiquomque post h. l. r(ogatam) factei createi erunt eumve mag(istratum) inierint, iei in diebus V proxumeis, || quibus eo mag(istratu) designatei erunt eumve mag(istratum) inierint, inter se paranto aut sortiunto, qua in partei urbis quisque | eorum vias publicas in urb*e* Roma, propiusve u(rbem) R(omam) p(assus) M, reficiundas sternendas curet, eiusque rei procurationem | habeat. Quae pars quoique aed(ilei) ita h. l. obvenerit, eius aed(ilis) in eis loceis quae in ea partei erunt viarum reficien|darum tuemdarum procuratio esto, utei h. l. oportebit. |

Quae vi*a int*er aedem sacram et aedificium locumve publicum et inter aedificium privatum est erit, eius || viae partem dimidiam is aed(ilis), quoi ea pars urbis obvenerit, in qua parte ea aedis sacra erit seive aedificium | publicum seive locus publicus, tuemdam locato. |

Quemquomque ante suum aedificium viam publicam h. l. tueri oportebit, quei eorum eam viam arbitratu eius aed(ilis), | quoius oportuerit, non tuebitur, eam viam aed(ilis), quoius arbitratu eam tuerei oportuerit, tuemdam locato; | isque aed(ilis) diebus ne minus X, antequam locet aput forum ante tribunale suom propositum habeto, quam || viam tuendam et quo die locaturus sit, e*t* quorum ante aedificium ea via sit; eisque, quorum ante aedificium | ea via erit, procuratoribusve eorum domum denuntietur facito, se eam viam locaturum, et quo die locaturus | sit; eamque locationem palam in foro per q(uaestorem) urb(anum), eumve quei aerario praerit, facito. Quamta pecunia eam | viam locaverit, tamtae pecuniae eum eosque, quorum ante aedificium ea via erit pro

portioni, quamtum | quoiusque ante aedificium viae in longitudine
et in latitudine erit, q(uaestor) urb(anus), queive aerario praerit, in
40 tabula*s* || publicas pecuniae factae referundum curato. Ei qu*e*i eam
viam tuemdam redemerit, tamtae pecuniae eum eos|ve adtribuito
sine d(olo) m(alo). Sei is, quei adtributus erit, eam pecuniam diebus
xxx proxum*e*is, quibus ipse aut pro|curator eius sciet adtributionem
factam esse ei, *q*uoi adtributus erit, non solverit neque satis fecerit,
is | quamtae pecuniae adtributus erit, tamtam pecuniam et eius
dimidium ei, quoi adtributus erit, da*r*e debeto, | inque eam rem is,
quo quomque de ea re aditum erit, iudicem iudiciumve ita dato, utei
45 de pecunia credita || *iudicem* iudicium*v*e dari oporte*r*et. |

Quam viam h. l. tuemdam locari oportebit, aed(ilis), quem eam
viam tuendam locare oportebit, is eam viam per | q(uaestorem)
urb(anum), queive aerario praerit, tuemdam locato, utei eam viam
arbitratu eius, quei eam viam locandam | curaverit, tueatur. Quamtam
pecuniam ita quaeque via locata erit, t(amtam) p(ecuniam)
q(uaestor) urb(anus), queive aerario praerit, | redemptorei, quoi e
lege locationis dari oportebit, heredeive eius damdam adtribuendam
curato. ||

50 Quo minus aed(iles) et iiiivir(ei) vieis in urbem purgandeis,
iivir(ei) vieis extra propiusve urbem Rom(am) passus *M* | purgandeis,
queiquomque erunt, vias publicas purgandas curent eiusque rei
potestatem habeant, | ita utei legibus pl(ebei)ve sc(itis) s(enatus)*ve*
c(onsultis) oportet oportebit, e*i*u*s* h. l. n(ihilum) r(ogatur). |

Quoius ante aedificium semita in loco erit, is eam semitam, eo
aedificio perpetuo lapidibus perpetueis | integreis continentem, constratam
recte habeto arbitratu eius aed(ilis), quoius in ea parte h. l.
55 viarum || procurat*io* erit. |

Quae viae in u(rbe) R(oma) sunt erunt intra ea loca, ubi continenti
hab*i*tab*i*tur, ne quis in ieis vieis post k. Ianuar. | primas
plostrum interdiu post solem ortum, neve ante horam x diei ducito
agito, nisi quod aedium | sacrarum deorum inmortalium caussa
aedificandarum, operisve publice faciumdei causa adv*e*hei porta|ri
oportebit, aut quod ex urbe exve ieis loceis earum rerum, quae
60 publice demolienda*e* loca*tae* erunt, publi||ce exportarei oportebit, et
quarum rerum caussa plostra h. l. certeis hominibus certeis de
causeis agere | ducere licebit. |

Quibus diebus virgines Vestales re*gem* sacrorum, flamines plostreis in urbe sacrorum publicorum p(opuli) R(omani) caussa | vehi oportebit, quaeque plostra triumphi caussa, quo die quisque triumpha*b*it, ducei oportebit, quaeque | plostra ludorum, quei Romae aut urbei Romae *p*(*ropius*) *p*(*assus*) *M* publice feient, inve pompam ludeis circiensibus ducei agei opus || erit; qu*o* minus earum rerum caussa eisque diebus plostra interdiu in urbe ducantur agantur, e(ius) h(ac) l(ege) n(ihilum) r(ogatur). |

Quae plostra noctu in urbem inducta erunt, quo minus ea plostra inania aut stercoris exportandei caussa | post solem ortum h(oris) X diei bubus iumenteisve iuncta in u(rbe) R(oma) et ab u(rbe) R(oma) p(assus) M esse liceat, e(ius) h. l. n(ihilum) rogatur. |

Quae loca publica porticusve *p*ublicae in u(rbe) R(oma) p(ropius)-ve u(rbei) R(omae) p(assus) M sunt erunt, quorum locorum quoiusque porticus | aedilium *e*orumve mag(istratuom), quei vieis loceisque publiceis u(rbis) R(omae) p(ropius)ve u(rbei) R(omae) p(assus) M purgandeis praerunt, legibus || procuratio est erit, nei quis in ieis loceis inve ieis porticibus quid in aedificatum inmolit*u*mve habeto, | neve ea loca porticumve quam possideto, neve eorum quod saeptum clausumve habeto, quo minus eis | loceis porticibusque populus utatur pateantve, nisi quibus uteique leg(ibus) pl(ebei)ve sc(itis) s(enatus)ve c(onsultis) concessum permissumve e*st*. |

Quibus loceis ex lege locationis, quam censor aliusve quis mag(istratus) publiceis vectigalibus ultrove tributeis | fruendeis tuendeisve dixet, dixerit, eis, quei ea fruenda tuendave condu*c*ta habebunt, ut utei fruei liceat || *a*ut utei ea ab eis custodiantur, cautum est; ei quo minus ieis loceis utantur fruantur ita, utei quoique eorum | *ex lege loca*tionis ieis *sine d*(*olo*) *m*(*alo*) utei fruei licebit, ex h. l. n(ihilum) r(ogatur). |

Quos lud(*os*) quisque Romae p(ropius)ve u(rbei) R(omae) p(assus) M faciet, quo minus ei eorum ludorum caussa scaenam pulpitum ceteraque, | quae ad eos ludos opus erunt, in loco publico ponere statuere, eisque diebus, quibus eos faciet, loco publico utei | liceat, e(ius) h. l. n(ihilum) r(ogatur). ||

Quei scribae librarei magistratibus apparebunt, ei quo minus loceis publiceis, ubei is, *quoi* quisque eorum apparebunt, | iuserit, apparendi caussa utantur, e(ius) h.l. n(ihilum) r(ogatur). |

Quae loca serveis publiceis ab cens(oribus) habitandei utendei caussa adtributa sunt, ei quo minus eis loceis utantur, e(ius) h. l. n(ihilum) r(ogatur). |

Queiquomque in municipieis coloneis praefectureis foreis conciliabuleis c(ivium) R(omanorum) IIvir(ei) IIIIvir(ei) erunt aliove | quo nomine mag(istratum) potestatemve su*f*ragio eorum, quei quoiusque municip*i* coloniae praefecturae || for*i* conciliabuli erunt habebunt: nei quis eorum que*m* in eo municipio coloni*a* praefectur*a* *f*oro concilia|bulo *in* senatum decuriones conscriptosve legito neve sublegito neve c*o*ptato neve recitandos curato, | nisi in demortuei damnateive locum eiusve, quei confessus erit, se senatorem decurionem conscreiptumve | ibei h. l. esse non licere. |

Quei minor annos XXX natus est erit, nei quis eorum post k. Ianuar. secundas in municipio colonia praefe||ctura IIvir(atum) IIIIvir(atum) neve quem alium mag(istratum) petito neve capito neve gerito, nisei quei eorum stipendia | equo in legione III, aut pedestria in legione VI fecerit, quae stipendia in castreis inve provincia maiore*m* | partem sui quoiusque anni fecerit, aut bina semestria, quae ei pro singuleis ann*u*eis procedere oporteat, | aut ei vocat*i*o rei militaris legibus pl(ebei)ve sc(itis) exve foidere erit, quocirca eum inveitum merere non | oporteat. Neve quis, que*i* praeconium dissignationem libitinamve faciet, dum eorum quid faciet, in muni||cipio colonia praefectura IIvir(atum) IIIIvir(atum) aliumve quem mag(istratum) petito neve capito neve gerito neve habeto, | neve ibei senator neve decurio neve conscriptus esto, neve sententiam dicito. Quei eorum ex eis, quei s(upra) s(criptei) s(unt), | adversus ea fecerit, is HS IↃↃↃ p(opulo) d(are) d(amnas) e(sto), eiusque pecuniae quei volet petitio esto. |

Queiquomque in municipio coloni*a* praefectura post k. Qui*n*ct(iles) prim(as) comitia IIvir(eis) II*II*vir(eis) aleive quoi mag(istratui) | rogando subrogandove habebit, is ne quem, quei minor anneis *XXX* natus est erit, IIvir(um), III*I*vir(um), quei*ve* ibei || alium mag(istratum) habeat, renuntiato neve renuntiarei iubeto, nisi quei stipendia equo in legione III, aut sti|pendia pedestria in legione VI fecerit, quae stipendia in castreis inve provincia maiorem partem sui | quoiusque anni fecerit, aut bina semestria, qua*e* ei pro singuleis annueis procedere oporteat, cum eo | quod ei legibus pl(eibei)ve

sc(iteis) procedere oportebit, aut ei vocatio rei militaris legibus
pl(ebei)ve sc(iteis) exve foedere | erit, quo circa eum invitum merere
non oporteat. Neve eum, quei praeconium dissignationem libitinamve
faciet, dum eorum quid || faciet, IIvir(um) IIIIvir(um), queive 105
ibei mag(istratus) sit, renuntiato, neve in senatum neve in de|curionum
conscriptorum*ve* numero legito, sublegito coptato neve sententiam
rogato neve dicere neve | ferre iubeto sc(iens) d(olo) m(alo).
Quei adversus ea fecerit, is HS IↃↃↃ p(opulo) d(are) d(amnas) esto,
eiusque pecuniae quei volet petitio esto. |

Quae municipia coloni*ae* praefectur*ae* fora conciliabula c(ivium)
R(omanorum) sunt erunt, nei quis in eorum quo municipio |
colonia praefectura *foro* conciliabulo *in* senatu decurionibus conscreipteisque
esto, neve quo*i* ibi in eo ordine || sente*m*tiam deicere 110
ferre liceto: quei furtei, quod i*ps*e fecit fecerit, condemnatus pactusve
est erit; | queive iudicio fiduci*ae* pro socio, tutelae, mandatei, iniuriarum,
deve d(olo) m(alo) condemnatus est erit; queive lege |
Plaetoria ob eamve rem, quod adversus eam legem fec*i*t fecerit,
condemnatus est erit; queive depugnandei | caussa auctoratus est
erit fuit fuerit; queive | in iure *bonam copiam abiuravit* abiuraverit,
bonamve copiam iuravit iuraverit; quei*ve* sponsoribus creditoribusve
sueis renuntiavit renuntiaverit, se soldum solvere non posse, aut
cum eis || pactus est erit, se soldum solvere non posse; prove quo 115
datum depensum est erit; quoiusve bona ex edicto | eius, qu*ei* *i*(*ure*)
d(eicundo) praefuit praefuerit, praeterquam sei quoius, quom pupillus
esset reive publicae caussa abesset, | neque d(olo) m(alo) fecit
fecerit quo magis r(ei) p(ublicae) c(aussa) a(besset), possessa proscriptave
sunt erunt; queive iudicio publico Romae | condemnatus
est erit, quo circa eum in Italia esse non liceat, neque in integrum
resti*tu*tus est erit; queive in eo | municipio colonia praefectura foro
conciliabulo, quoius erit, iudicio publico condemnatus est erit;
quemve || k(alumniae) praevaricationis caussa accussasse fecisseve 120
quod iudicatum est erit; quoive aput exercitum ingnominiae | caussa
ordo ademptus est erit; quemve imperator ingnominiae caussa ab
exe*r*citu decedere ius*i*t iuserit; | queive ob caput c(ivis) R(omanei)
referundum pecuniam praemium aliudve quid cepit ceperit; queive
corpor*e* quaestum | fecit fecerit; queive lanistaturam artemve ludic*r*am
fecit fecerit; queive lenocinium faciet. Quei | adversus ea

in municipio colonia praefectur*a* foro conciliabulo *in senatu* decurionibus conscripteisve *f*uerit || sentemtiamve dixerit, is HS IↃↃↃ p(opulo) d(are) d(amnas) esto, eiusque pecuniae quei volet petitio esto. |

Quoi h. l. in municipio colonia praefectura foro conciliabulo senatorem decurionem conscriptum esse, | inque eo ordine sentemtiam dicere ferre non licebit, nei quis, quei in eo municipio colonia praefectura | foro conciliabulo senatum decuriones conscriptos habebit, eum in senatum decuriones conscriptos | ire iubeto sc(iens) d(olo) m(alo); neve eum ibei sentemtiam rogato neive dicere neive ferre iubeto sc(iens) d(olo) m(alo); neve quis, que*i* || in eo municipio colonia praefectura foro conciliabulo sufragio eorum maxumam potestatem habebit, | eorum quem ibei in senatum decuriones conscriptos ire, neve in eo numero esse n*e*ve sentemtiam ibei dicere | ferreve sinito sc(iens) d(olo) m(alo); neve quis eius rationem comitieis conciliove *habeto, neive quis quem, sei adversus ea comitieis conciliove* creatum est renuntiato; neve quis, | quei ibei mag(istratum) potestatemve habebit, eum cum senatu decurionibus conscript*eis* *lud*os spectare neive in convivio | publico esse sin*i*to sc(iens) d(olo) m(alo). ||

Quibus h. l. in municipio colonia praefectura foro conciliabulo in s*e*nat*u* decurionibus conscripteis esse | non licebit, ni quis eorum in municipio colonia praefectura foro conciliabulo IIvir(atum) IIIIvir(atum) aliamve | quam potestatem ex quo honore in eum ordinem perveniat, petito neve capito; neve quis eorum ludeis, | cumve gladiatores ibei pugnabunt, in loco senatorio decurionum conscriptorum sed*e*to neve spectato | neve convivium publicum is inito; neive quis, quei adversus ea creatu*s* renuntiatu*s* erit, ibei IIvir IIIIvir || esto, neve ibei m(agistratum) potestatemve habeto. Qu*ei* adversus ea fecerit, is HS IↃↃↃ p(opulo) d(are) d(amnas) esto, eiusque pecuniae quei | volet petitio esto. |

Quae municipia coloniae praefecturae c(ivium) R(omanorum) in Italia sunt erunt, quei in eis municipieis coloneis | praefectureis maximum mag(istratum) maxim*a*mve potestatem ibei habebit tum, cum censor aliusve | quis mag(istratus) Romae populi c*e*nsum aget, is diebus IX proxumeis, quibus sciet Romae c*e*nsum populi || agi, omnium municipium colonorum suorum queique eius praefecturae erunt, q(uei) c(ives) R(omanei) erunt, censum | ag*i*to, eorumque

nomina praenomina, patres aut patronos, tribus, cognomina, et quot
annos | quisque eorum habet, et rationem pecuniae ex formula
census, quae Romae ab eo, qui tum censum | populi acturus erit,
proposita erit, a*b* ieis iurateis accipito; eaque omnia in tabulas publicas
sui | municipi referunda curato; eosque libros per legatos, quos
maior pars decurionum conscriptorum || ad eam rem legarei mittei 150
censuerint tum, cum e*a* res consuleretur, ad eos, quei Romae c*e*nsum
agent, | mittito; curatoque, utei quom amplius dies LX reliquei erunt,
ante quam diem ei, queiquomque Romae | censum age*t*, finem
populi ce*n*sendi faciant, eos ade*ant* librosque eius municipi coloniae
praefecturae | edant; isque censor, seive quis alius mag(istratus)
censum populi aget, diebus V proxumeis, quibus legatei eius |
municipi coloniae praefecturae adierint, eos libros census, quei ab
ieis legateis dabuntur, accipito || s(ine) d(olo) m(alo) exque ieis 155
libreis, quae ibei scripta erunt, in tabulas publicas referunda curato,
easque tabulas | eodem loco, ubei ceterae tabulae publicae erunt, in
quibus census populi perscriptus erit, condenda*s* curato. |

Qui pluribus in municipieis coloneis praefectureis domicilium habebit, et is Romae census erit, quo magis | in municipio colonia praefectura h. l. censeatur, e(ius) h. l. n(ihilum) r(ogatur). |

Quei lege pl(ebeive) sc(ito) permissus est *f*uit, utei leges in muni-
cipio fundano municipibusve eius municipi daret, || sei qui*d* is post 160
h. l. r(ogatam) in eo anno proxumo, quo h. l. populus iuserit, ad eas
leges *addiderit commutaverit conrexerit*, municip*i*s fundanos | item
teneto, utei oporteret, sei ea*e* res ab eo tum, quom primum leges
eis municipibus lege pl(ebei)ve sc(ito) dedit, | ad eas leges additae
commutatae conrectae essent; neve quis interced*i*to neve quid
facito, quo minus | ea rata sint, quove minus municipis fundanos
tene*ant* eisque optemperetur.

l. 19. I *i.e.* singulos.

l. 29. via inter; viam per, *tablet.*

l. 64. ludorum, *sc.* caussa.

l. 92. oporteat; cum eo quod ei legibus plebeive sciteis procedere oportebit, *omitted. Cf.* ll. 102–103.

l. 117. abesset; *Mommsen and Dessau add* bona possessa proscriptave sunt erunt.

A very large bronze tablet, with a more ancient Greek inscription on the back of it. It is broken into two parts. The lower part (ll. 76–163) was found near the site of Heraclea in 1732. The upper part was discovered in 1754. Both parts are now in the museum at Naples. The beginning of the law has been lost. The date of the inscription is fixed approximately or exactly from a letter of Cicero (*ad fam.* 6. 18. 1). In this letter he writes to Lepta, *simulatque accepi a Seleuco tuo litteras, statim quaesivi e Balbo per codicillos, quid esset in lege. Rescripsit eos, qui facerent praeconium, vetari esse in decurionibus; qui fecissent, non vetari.* The provision mentioned here is the exact point covered in our law (l. 94), and Cicero is evidently referring to this measure. He has obtained information in advance from an intimate friend of Caesar concerning the bill about to be submitted, which has not yet been promulgated. The date of Cicero's letter, Jan. 45 B.C., fixes the probable date of the law as 45 B.C. on Caesar's return from Spain (*cf.* Mommsen in Bruns, p. 102). For arguments in favor of the year 46, *cf.* Nissen, *Rh. Mus.* 45 (1890), 100 *ff.*, Hackel, *Wien. Stud.* 24 (1902), 552, and others. Since Savigny's time (*cf. Verm. Schr.* 3, 279 *ff.*) it has commonly been believed that this measure was intended to provide a normal charter for Italian towns. This conclusion was based largely upon certain apparent references in the Civil Law (*cf.* especially, *Cod. J.* 7. 9. 1; *Dig.* 50. 9. 3) to a general *lex municipalis*, which was identified with Caesar's measure, but most scholars have abandoned this identification (*cf.* however, Hardy, *Six Roman Laws*, 139 *ff.*, 165 *ff.*). Mommsen has gone so far (*Ges. Schr.* 1, 153) as to deny the existence of a model charter at any period whatsoever, but *cf.* pp. 185 *ff.*

The extant tablet covers four different matters, with a supplementary provision (ll. 159–163) ratifying such changes as the commissioners may make in the measure during the first year after its adoption. These four subjects are: (1) rules governing the distribution of corn in Rome (ll. 1–19); (2) regulations determining the duties of the aediles and other officials in Rome in repairing, cleaning, and policing the streets (ll. 20–82); (3) conditions governing the eligibility of candidates for the magistracies and the senate (ll. 83–141); (4) provisions regulating the taking of the census in the municipality (ll. 142–158). It is very difficult to account for the appearance, on a single tablet, of laws dealing with such diverse matters as the corn supply and the functions of the aedile, and concerning Rome as well as Italian municipalities (*cf.* Herzog, 2, 1, n. 1). Perhaps we have on the tablet parts of three different laws, *viz.* part of a municipal charter, and parts of two laws dealing with the corn supply and the aedile's duties in Rome. The theory that the law is a *lex satura* (Savigny, *op. cit.* 3, 327 *ff.*; de Petra, *Mon. ant. d. Lincei*, 6 (1895), 433 *ff.*) has been given up by most scholars. Still others believe that the law is a unit, being part of a comprehensive measure intended for Rome as well as for the Italian municipalities. Possibly, if we accept the first of these three theories mentioned above, we may surmise that we have on the tablet a municipal charter as the *pièce de résistance*, to which is added an article concerning the corn supply for the information of a municipality, and a chapter prescribing the duties of a Roman aedile to serve as a guide for the municipal magistracy (*cf.* Herzog, *loc. cit.*). Whatever relation the different parts of the inscription have to one another, from l. 83 on we have part of an early municipal charter which deals with the local executives and the local senate. *Cf.* no. 20. For the judicial powers of local magistrates, *cf.* no. 27.

It seems probable from a comparison of l. 83 with ll. 89–90 that *fora* and *conciliabula* had local magistrates, but that these magistrates did not bear the title of *duoviri* or of *quattuorviri*. On similar grounds we infer (*cf.* ll. 142 *ff.*) that the census was not taken in *fora* and *conciliabula*. (For another list of communities, *cf.* no. 27, chap. XXII.) Although criminal courts held in *fora* and *conciliabula* are mentioned in ll. 118–119, they cannot have been presided over by local magistrates (*cf.* Schulten, *R.E.* 7, 63), but must have been conducted by *praefecti* sent from larger communities. From ll. 83–88 it is clear that magistrates were to be elected in the popular assembly, and that decurions could be named by the magistrates. On the technical terms in l. 86, *cf.* Mommsen, *St. R.* 3, 855 *f.* and nn. Apparently decurions could also be elected in the popular assembly (*cf.* l. 132).

Rome required the census to be taken in Italian towns as early as 209 B.C. (Livy, 29. 15), but this is the earliest extended formulation which we have of the method of procedure. The charter of Bantia (no. 11, chap. 4) bears witness to the taking of the census in this Oscan town in the second century B.C., and prescribes a penalty for those who fail to report themselves. Under the principate the census was also required in provincial towns (*cf.* Kubitschek, *R.E.* 3, 1918 *f.*). We do not know whether the system outlined here originated in Rome or was adopted from other Italian municipalities. The fact that a person might have a domicile in several municipalities (l. 157) will be illustrated in concrete cases in later inscriptions (*cf.* no. 94), in which we shall find certain men as citizens in several *civitates*. The course of procedure which was followed in granting this charter is indicated in l. 159. An enabling act passed in the popular assembly authorized a commissioner or a commission to frame a constitution and, a year after the passage of the law, to make any necessary amendments. On the scope of this article, *cf.* Elmore, *Trans. Am. Phil. Assoc.* 47 (1916), 40 *ff.* For an extended commentary on the entire document, *cf.* Legras, *La table Latine d'Héraclée*; Elmore, *Journ. Rom. Studies*, 5 (1915), 125 *ff.*; Hardy, *Class. Quart.* 11 (1917), 27 *ff.*; *Some Problems in Roman History*, 239 *ff.*

## 25. SENATUS CONSULTUM ET EPISTULA CAESARIS AD MYTILENAEOS

(45 a. Chr.)

*IG.* XII, 2, 35, ll. 14–37; Cagnat, *IGRR.* 4, 33; Ditt. *Syll.*³ 764 (in part).

[Περὶ ὧν π]ρεσβευταὶ Μυτιληναίων Ποτάμων Λεσβώνακτος, Φαινίας Φαινίου τοῦ Καλλί[π]|που, Σέρφηος Διοῦς, Ἡρώδης Κλέωνος, Διῆς Ματροκλέους, Δημήτριος Κλεωνύμου, || Κριναγόρας Καλλίππου, Ζωίλος Ἐπιγένους λόγους ἐποιήσαντο, χάριτα, φιλίαν, συμμα|χίαν ἀνενεοῦντο, ἵνα τε ἐν Καπετωλίωι θυσ[ί]αν ποιῆσαι ἐξῆι, ἅ τε αὐτοῖς | πρότερον ὑπὸ τῆς συγκλήτου συγκεχωρημ|[έ]να ἦν, ταῦτα ἐν δέλτωι χαλκῆι | γεγραμμένα προσηλῶσαι ἵνα ἐξῆι· περὶ τούτου τοῦ πράγματος οὕτως || ἔδοξεν· χάριτα, φιλίαν, συμμαχίαν ἀνανεώσασθαι, ἄνδρας ἀγαθοὺς καὶ φί|λους προσαγορεῦσαι, ἐν Καπετωλίωι θυσίαν ποιῆσαι ἐξεῖναι, ἅ τε αὐτοῖς πρό|τερον ὑπὸ τῆς συγκλήτου φιλάνθρωπα συγκεχωρη-

*μένα ἦν, ταῦτα ἐν δέλ|τωι χαλκῆι γεγραμμένα προσηλῶσαι ἐξεῖναι, ὅταν θέλωσιν· ἵνα τε Γάϊος | Καῖσαρ αὐτοκράτωρ, ἐὰν αὐτῶι φαίνηται, τόπους χορήγια αὐτοῖς κατὰ τὸ || τῶν προγόνων ἔθος ταμίαν μισθῶσαι κελεύσηι ο(ὕτ)ως ὡς ἂν αὐτωῖ ἐκ τῶν δη|μοσίων πραγμάτων πίστεώς τε τῆς ἰδίας φαίνηται. Ἔδοξεν. [Ἐπ]εὶ δὲ καὶ | πρότερον ἐνετύχετέ μοι καὶ ἔγραψα πρὸς ὑμᾶς, πάλιν ὑπέμ[ειν]αν οἱ | [ὑμέτεροι πρεσβευταὶ μη]δένα δεῖν ἀτελῆ εἶ[ναι] παρ' ὑμῖν ἀκολούθ[ως τοῖς |..........καὶ τοῖς] φιλανθρώποις ἃ ἔχετε παρ' ἡμῶν τοῖς τε [πρότε||ρον καὶ τοῖς διὰ τούτου το]ῦ δόγματος δεδομένοις τὸ ἐξεῖναι ὑμῖ[ν...|...ταῖς] τῆς πόλεως καὶ τῆς χώρας προσόδοις καθ' ἡ[συχίαν | χρῆσθαι. Βούλομαι οὖν] ἀποφήνασθαι ὅτι οὐδενὶ συγχωρῶ οὐδὲ συγ[χωρή|σω ἀτελεῖ παρ' ὑμῖν εἶναι. Ο]ὕτως οὖν πεπεισμένοι θαρροῦντες χρῆσθ[ε..|...ἀνεμποδ]ίστως· ἐγὼ ταῦτά τε ἡδέως πεποίηκα ὑ[πὲρ || ὑμῶν καὶ εὔχομαι εἰς τ]ὸ μέλλον αἰεί τινος ἀγαθοῦ παραίτιος ὑμῖν [γενέσθαι]. |*

From Mytilene. The inscription contains the correspondence and treaty between Rome and Mytilene. This city had been loyal to Pompey, but after the battle of Pharsalia it had sent an embassy to Caesar to sue for pardon (*cf.* Plutarch, *Pomp.* 75). A second embassy was sent to Rome in 45 B.C. to ask for the renewal of the old treaty of alliance. Their request was granted by the senate, and Caesar sent this letter to the Mytileneans, of which we publish a part. This part includes the decree of the senate renewing the treaty and an edict of Caesar wherein he promises the city that no resident of Mytilene shall enjoy the privilege of immunity. In spite of the fact that this city enjoyed the status of an independent ally of Rome, it is apparent that complete autonomy was not implied. Since Roman citizens enjoyed special privileges of immunity in the cities of the empire, it is probable that the edict of Caesar was designed to subject them to the laws, customs, and duties of the Mytileneans (*cf.* p. 192). Mytilene was a free city under Augustus (Pliny, *N.H.* 5, 139). It may have lost its privileges under Vespasian (Philostratus, *Apoll.* 5, 41), but they were restored by Hadrian. *Cf.* Chapot, *La prov. rom. proc. d'Asie*, 118.

## 26. LEX COLONIAE GENITIVAE IULIAE SEU URSONENSIS

(44 a. Chr.)

*CIL.* II, *S.* 5439; Dessau, 6087; Bruns, 28; Girard, p. 89; Riccobono, p. 142.

Tab. I, col. III *LXI. . . . Cui quis ita ma*|num inicere iussus erit, iudicati iure ma|nus iniectio esto, itque ei s(ine) f(raude) s(ua) facere liceto. Vin|dex arbitratu IIviri qui*v*e i(ure) d(icundo) p(raerit) locuples || esto. Ni vindicem dabit iudicatum*v*e faci|et, secum ducito. Iure civili vinctum habeto. | Si quis in eo vim faciet, ast eius vincitur, du|pli damnas esto colonisq(ue) eius colon(iae) HS CCIↃↃ CCIↃↃ | d(are) d(amnas) esto, eiusque pecuniae *q*ui vo||let petitio, IIvir(o) qui*v*e i(ure) d(icundo) p(raerit) exactio iudicati|oque esto. |

LXII. IIviri quicumque erunt, i*is* IIviri*s* in eos singulos | lictores binos accensos sing(ulos), scribas bi|nos, viatores binos, librarium, praeconem, || haruspicem, tibicinem habere ius potestas|que esto. Quique in ea colonia aedil(es) erunt, | iis aedil(ibus) in eos aedil(es) sing(ulos) scribas sing(ulos), publi|cos cum cincto limo IIII, praeconem, haruspi|cem tibicinem habere ius potestasq(ue) esto. Ex eo || numero, qui eius coloniae coloni erunt, habe|to. Iisque IIvir(is) aedilibusque, dum eum mag(istratum) ha|bebunt, togas praetextas, funalia, cereos ha|bere ius potestasq(ue) esto. Quos quisque eo|rum ita scribas lictores accensos viatorem || tibicinem haruspicem praeconem habebit, iis | omnibus eo anno, quo anno quisque eorum | apparebit, militiae vacatio esto, neve quis e|um eo anno, quo mag(istratibus) apparebit, invitum | militem facito neve fieri iubeto neve eum || cogito neve ius iurandum adigito neve a|digi iubeto neve sacramento rogato neve | rogari iubeto, nisi tumultus Italici Gallici|ve causa. Eisque merces in eos singul(os), qui IIvi|ris apparebunt, tanta esto: in scribas sing(ulos) || HS∞ CC, in accensos sing(ulos) HS DCC, in lictores | sing(ulos) HS DC, in viatores sing(ulos) HS CCCC, in libra|rios sing(ulos) HS CCC, in haruspices sing(ulos) HS D, prae|coni HS CCC; qui aedilib(us) appareb(unt): in scribas | sing(ulos) HS DCCC, col. IV in haruspices sing(ulos) HS C, in ti|bicines sing(ulos) HS CCC, in praecones sing(ulos) HS CCC. | Iis s(ine) f(raude) s(ua) kapere liceto. |

LXIII. IIviri, qui primi ad. pr. k. Ianuar. mag(istratum) habebunt, appari|tores totidem habento *quot* sing(ulis) apparitores ex h(ac) l(ege) ha||bere lice*t*. Iisque apparitorib(us) merces tanta esto, | quantam esse oporteret, si partem IIII anni a*ppar*|uissent, ut pro portione, quam diu apparuiss*e*nt, mer|cedem pro eo kaperent, itque iis s(ine) f(raude) s(ua) c(apere) l(iceto). |

LXIIII. IIviri quicumque post colon(iam) deductam erunt, ii in die||bus X proxumis, quibus eum mag(istratum) gerere coeperint, at | decuriones referunto, cum non minus duae partes | aderint, quos et quot dies festos esse et quae sacra | fieri publice placeat et quos ea sacra facere place|at. Quot ex eis rebus decurionum maior pars, qui || tum aderunt, decreverint statuerint, it ius ratum|que esto, eaque sacra eique dies festi in ea colon(ia) | sunto. |

LXV. Quae pecunia poenae nomine ob vectiga*l*ia, quae | colon(iae) G(enetivae) Iul(iae) erunt, in publicum redacta erit, eam || pecuniam ne quis erogare neve cui dare neve attri|buere potestatem habeto nisi at ea sacra, quae in | colon(ia) aliove quo loco colonorum nomine fia*n*t, | neve quis aliter eam pecuniam s(ine) f(raude) s(ua) kapito, n*e*ve quis | de ea pecunia ad decuriones referundi neve quis || de ea pecunia sententiam dicendi ius potestat(em)|que habeto. Eamque pecuniam ad ea sacra, quae | in ea colon(ia) aliove quo loco colonor*um* nomine | fient, IIviri s(ine) f(raude) s(ua) dato attribuito itque ei facere | ius potestasq(ue) esto. Eique cui ea *p*ecunia dabi||tur s(ine) f(raude) s(ua) kapere liceto. |

LXVI. Quos pontifices quosque augures G. Caesar, quive | iussu eius colon(iam) deduxerit, fecerit ex colon(ia) Ge|net(iva), ei pon*t*ifices eique augures c(oloniae) G(enetivae) I(uliae) sunto, eiq(ue) | pon*tifi*ces auguresque in pontificum augu||rum conlegio in ea colon(ia) sunto, ita uti qui | optima lege optumo iure in quaque colon(ia) | pontif(ices) augures sunt erunt. Iisque pontificibus | auguri*b*usque, qui in quoque eorum collegio | erunt, liberisque eorum militiae munerisq|ue publici vacatio sacrosanct*a* esto, uti pon|tifici Romano est erit, *aer*aque militaria ea omni|a merita sunto. De auspiciis quaeque ad eas res per|tinebunt augurum iuris dictio iudicatio esto. Eis||que pontificib(us) auguribusque ludis, quot publice ma|gistratus facient, et cum ei pontific(es) augures sa|cra publica c(oloniae) G(enetivae) I(uliae) facient, togas praetextas haben|di ius potestasq(ue) esto, eisque pontificib(us) augurib(us)|q(ue) ludos gladiatoresq(ue) inter decuriones specta||re ius potestasque esto. |

LXVII. Quicumque pontif(ex) quique augu*r* c(oloniae) G(enetivae) I(uliae) post h(anc) l(egem) da|tam in conlegium pontific(um) augurumq(ue) in demor|tui damnative loco h(ac) l(ege) lectus cooptatusve erit, | is pontif(ex) augurq(ue) in c(olonia) Iul(ia) in conlegium [*sic*] pontifex || augurq(ue) esto, ita uti qui optuma lege in quaque | colon(ia) pontif(ices) auguresq(ue) sunt erunt. Neve quis | quem in conlegium pontificum kapito suble|gito cooptato nisi tunc cum minus tribus pon|tificib(us) ex iis, qui c(oloniae) G(enetivae) sunt, erunt. Neve quis quem || in conlegium augurum sublegito cooptato ni|si tum cum minus tribus auguribus ex eis, qui | colon(iae) G(enetivae) I(uliae) sunt, erunt. |

LXVII(I). IIviri praef(ectus)ve comitia pontific(um) augurumq(ue), quos h(ac) lege | facere oportebit, ita habeto, prodi*c*ito, ita uti || IIvir(um) creare facere sufficere h(ac) l(ege) o(portebit). |

LXIX. IIviri qui post colon(iam) deduc*t*am primi erunt, ei in su|o mag(istratu) et quicumq(ue) IIvir(i) in colon(ia) Iul(ia) erunt, ii in | diebus LX proxumis, quibus eum mag(istratum) gerere coe|perint, ad decuriones referunto, cum non minus || XX aderunt, uti redemptori redemptoribusque, | qui ea redempta habebunt quae ad sacra resq(ue) | divinas opus erunt, pecunia ex lege locationis | adtribuatur solvaturq(ue). Neve quisquam rem ali|am at decuriones referunto neve quot decuri||onum decret(um) faciunto antequam eis redemp|toribus pecunia ex lege locationis attribuatur | solvaturve d(ecurionum) d(ecreto), dum ne minus XXX atsint, cum | e(a) r(es) Tab. II, col. I consulatur. Quot ita decreverint, ei IIvir(i) | redemptori redemptoribus attribuendum | solvendumque curato, dum ne ex ea pecunia | solvant adtribuant, quam pecuniam ex h(ac) l(ege) | *ad e*a sacra, quae in colon(ia) aliove quo loco pu||blice fiant, dari adtribui oportebit. |

(L)XX. IIviri quicu*m*que erunt praeter eos, qui primi | post h(anc) l(egem) *fa*cti erunt, ⟨ei⟩ in suo mag(istratu) munus lu|dosve scaenicos Iovi Iunoni Minervae deis | deabusq(ue) quadriduom m(aiore) p(arte) diei, quot eius fie||ri *pot*e*r*it, arbitratu decurionum faciun|to inque eis ludis eoque munere unusquis|que eorum de sua pecunia ne minus HS ∞ ∞ | consumito et ex pecunia publica in sing(ulos) | IIvir(os) d(um) t(axat) HS ∞ ∞ sumere consumere liceto, it||que eis s(ine) f(raude) s(ua) facere liceto, dum ne quis ex ea | pecun(ia) sumat neve adtributionem faciat, | quam pecuniam h(ac) l(ege) ad ea sacra, quae in co|lon(ia) aliove quo loco public*e* fient, dari | adtribui oportebit. ||

LXXI. Aediles quicumq(ue) erunt in suo mag(istratu) munus lu|dos scaenicos Iovi Iunoni Minervae tri|duom maiore parte diei, quot eius fieri pote|rit, et unum diem in circo aut in foro Veneri | faciunto, inque eis ludis eoque munere unus||quisque eorum de sua pecunia ne minus HS ∞ ∞ | consumito deve publico in sing(ulos) aedil(es) HS ∞ | sumere liceto, eamq(ue) pecuniam IIvir praef(ectusve) | dandam adtribuendam curanto itque iis | s(ine) f(raude) s(ua) c(apere) liceto. ||

LXXII. Quotcumque pecuniae stipis nomine in aedis | sacras datum inlatum erit, quot eius pecuni|ae eis sacr*i*s superfuerit, quae sacra, uti h(ac) l(ege) d(ata) | oportebit, ei deo deaeve, cuius ea aedes erit, fac|ta *fuerint*, ne quis facito neve curato neve interce||dito, quo minus in ea aede consumatur, ad | quam aedem ea pecunia stipis nomine da|ta conlata erit, neve quis eam pecuniam alio | consumito ne*ve* quis facito, quo magis in | alia re consumatur. |

LXXIII. Ne quis intra fines oppidi colon(iae)ve, qua aratro | circumductum erit, hominem mortuom | inferto neve ibi humato neve urito neve homi||nis mortui monimentum aedificato. Si quis | adversus ea fecerit, is c(olonis) c(oloniae) G(enetivae) Iul(iae) HS IↃↃ d(are) d(amnas) esto, | eiusque pecuniae *q*ui volet petitio persecu|tio ⟨exactioq(ue)⟩ esto. Itque quot inaedificatum | erit IIvir aedil(is)ve dimoliendum curanto. Si || adversus ea mortuus inlatus positusve erit, | expianto uti oportebit. |

LXXIV. Ne quis ustrinam novam, ubi homo mortuus | combustus non erit, pro*p*ius oppidum pas|sus D facito. Qui adversus ea fecerit, HS IↃↃ c(olonis) || c(oloniae) G(enetivae) Iul(iae) d(are) d(amnas) esto, eiusque pecuniae *q*ui volet peti|tio persecutioq(ue) ex h(ac) l(ege) esto. |

LXXV. Ne quis in oppido colon(ia) Iul(ia) aedificium detegito | neve demolito neve disturbato, nisi si praedes | IIvir(um) arbitratu dederit se re*d*aedificaturum, aut || nisi decuriones decreverint, dum ne minus L ad|sint, cum e(a) r(es) consulatur. Si quis adversus ea fece(rit), | q(uanti) e(a) r(es) e(rit), t(antam) p(ecuniam) c(olonis) c(oloniae) G(enetivae) Iul(iae) d(are) d(amnas) e(sto), eiusq(ue) pecuniae qui volet pe|titio persecutioq(ue) ex h(ac) l(ege) esto. |

LXXVI. Figlinas teglarias maior*e*s tegularum CCC tegu||lariumq(ue) in oppido colon(ia) Iul(ia) ne quis habeto. Qui | habuerit i*t* aedificium isque locus publicus | col(oniae) Iuli(ae) esto, eiusq(ue) aedificii quicumque in c(olonia) | G(enetiva) Iul(ia) i(ure) d(icundo) p(raerit), s(ine) d(olo) m(alo) eam pecuniam in publicum redi*g*ito. |

LXXVII. Si quis vias fossas cloacas IIvir aedil(is)ve publice || facere inmittere commutare aedificare mu|nire intra eos fines, qui colon(iae) Iul(iae) erunt, volet, | quot eius sine iniuria privatorum fiet, it is face|re liceto. |

LXXIIX. Quae viae publicae itinerave publica sunt fuerunt || intra eos fines, qui colon(iae) dati erunt, quicumq(ue) | limites quaeque viae quaeque itinera per eos a|gros sunt erunt fueruntve, eae viae eique limites | eaque itinera publica sunto. |

LXXIX. Qui fluvi rivi fontes lacus aquae stagna paludes || sunt in agro, qui colon(is) h*ui*usc(e) colon(iae) divisus | erit, ad eos rivos fontes lacus aquas⟨que⟩ sta|gna paludes itus actus aquae haustus iis item | esto, qui eum agrum habebunt possidebunt, uti | iis fuit, qui eum agrum habuerunt possederunt. || Itemque iis, qui eum agrum habent possident ha|bebunt possidebunt, itineris aquarum lex ius|que esto. |

LXXX. Quot cuique negotii publice in colon(ia) de decur(ionum) sen|tentia datum erit, is cui negotium datum erit e||ius rei rationem decurionib(us) reddito referto|que in dieb(us) CL proxumis *quibus* it negotium confecerit | quibusve it negotium gerere desierit, quot eius | fieri poterit s(ine) d(olo) m(alo). |

LXXXI. Quicumque IIvir(i) aed(iles)ve colon(iae) Iul(iae) erunt, ii scribis || suis, qui pecuniam publicam colonorumque | rationes scripturus erit, antequam tabulas | publicas scribet ⟨tractetve⟩ in contione palam | luci nundinis in forum ius iurandum adigi|to per Iovem deosque Penates "sese pecuniam pu||blicam eius colon(iae) concustodituram rationes|que veras habiturum esse, u(ti) q(uod) r(ecte) f(actum) e(sse) v(olet) s(ine) d(olo) m(alo), ne|que se fraudem per litteras facturum esse sc(ientem) | d(olo) m(alo)." Uti quisque scriba ita iuraverit, in tabulas | publicas referatur facito. Qui ita non iurave||rit, is tabulas publicas ne scribito neve aes | apparitorium mercedemque ob e(am) r(em) kapito. | Qui ius iurandum non adegerit, ei HS IↃↃ mul|t*a* esto, eiusq(ue) pecuniae *q*ui volet petitio per|secutioq(ue) ex h(ac) l(ege) esto. ||

LXXXII. Qui agri quaeque silvae quaeq(ue) aedificia c(olonis) c(oloniae) G(enetivae) I(uliae) | quibus publice utantur, data adtributa e|runt, ne quis eos agros neve eas silvas ven|dito neve locato longius quam in quinquen|nium, neve ad decuriones referto neve decu||rionum consultum facito, quo ei agri eaeve | silvae veneant aliterve locentur. Neve si ve|nierint, itcirco minus c(oloniae) G(enetivae) Iul(iae) sunto. Quique iis | rebus fruc*t*us erit, quot se emisse dicat, is in | iuga sing(ula) inque annos sing(ulos) HS C c(olonis) c(oloniae) G(enetivae) Iul(iae) d(are) d(amnas) || *esto, eiusque pecuniae* qu*i volet petitio persecutioq(ue) ex h(ac) l(ege) esto.*

*(Deest tabulae pars dimidia)*

Tab. III, col. I

*XCI. Si quis ex hac lege decurio augur pontifex coloniae G(enetivae) Iul(iae) factus creatusve* | erit, tum quicumque decurio augur pontifex huiusque | col(oniae) domicilium in ea col(onia) oppido propiusve it oppidum p(assus) ∞ | non habebit annis V proxumis, unde pignus eius quot satis | sit capi possit, is in ea col(onia) augur pontif(ex) decurio ne es||to qui*q*ue IIviri in ea col(onia) erunt, eius nomen de decurio|nibus sacerdotibusque de tabulis publicis eximendum | curanto, u(ti) q(uod) r(ecte) f(actum) e(sse) v(olent), idq(ue) eos IIvir(os) s(ine) f(raude) s(ua) f(acere) l(iceto). |

XCII. IIviri quicumque in ea colon(ia) mag(istratum) habebunt, ei de legatio|nibus publice mittendis ad decuriones referunto, cum || m(aior) p(ars) decurion(um) eius colon(iae) aderit, quotque de his rebus | maior pars eorum qui tum aderunt constituerit, | it ius ratumque esto. Quamque legationem ex h(ac) l(ege) exve | d(ecurionum) d(ecreto), quot ex h(ac) l(ege) factum erit, obire oportuerit | neque obierit qui lectus erit, is pro se vicarium ex eo || ordine, uti hac lege de(curionum)ve *decreto* d(ari) o(portet), dato. Ni ita dederit, in | res sing(ulas) quotiens ita non fecerit, HS CCIↃↃ colon(is) hu|iusque colon(iae) d(are) d(amnas) e(sto), eiusque pecuniae *q*ui volet petitio | persecutioque esto. |

XCIII. Quicumque IIvir post colon(iam) deductam factus creatusve || erit quive praef(ectus) ab IIvir(o) e lege huius coloniae relic|tus erit, is de loco publico neve pro loco publico neve | ab redemptor*e* mancipe praed(e)ve donum munus mercedem | aliutve quid kapito neve accipito neve facito, quo | quid ex ea re at se

25 suorumve quem perveniat. Qui at||versus ea fecerit, is HS CCIↃↃ
CCIↃↃ c(olonis) c(oloniae) G(enetivae) Iul(iae) d(are) d(amnas) e(sto),
eius|que pecuniae *q*ui vo*l*et petitio persecutioque esto. |

XCIIII. Ne quis in hac colon(ia) ius dicito neve cuius in ea
colon(ia) | iuris dictio esto nisi IIvir(i) aut quem IIvi*r* praef(ectum) |
reliquerit, aut aedil(is), uti h(ac) l(ege) o(portebit). Neve quis pro
30 eo || imper(io) potestat(e)ve facito, quo quis in ea colonia | ius dicat,
nisi quem ex h(ac) l(ege) dicere oporte*bit*. |

XCV. Qui reciperatores dati erunt, si eo die quo iussi erunt |
non iudicabunt, IIvir prae*f*(ectus)ve ubi e(a) r(es) a(gitur) eos rec(i-
col. II peratores) | eumque cuius res a(gitur) adesse iubeto diemque cer|tum
dicito, quo die atsint, usque ateo, dum e(a) r(es) | iudicata erit,
facitoque, uti e(a) r(es) in diebus XX | proxumis, quibus d(e) e(a) r(e)
rec(iperatores) dati iussive e|runt iudicare, iudic(etur), u(ti) q(uod)
5 r(ecte) f(actum) e(sse) v(olet). Testibusque || in eam rem publice
dum taxat h(ominibus) XX, qui colon(i) | incolaeve erunt, quibus *is*
qui rem quaere|*t* volet, denuntietur facito. Quibusq(ue) ita tes|ti-
monium *d*enuntiatum erit quique in tes|timonio dicendo nominati
10 erunt, curato, || uti at it iudicium atsint. Testimoniumq(ue) | si
quis quit earum rer(um), quae res tum age|tur, sciet aut audierit,
iuratus dicat faci|to, uti q(uod) r(ecte) f(actum) e(sse) v(olet), dum
ne omnino amplius | h(omines) XX in iudicia singula testimonium
15 dice||re cogantur. Neve quem invitum testimo|nium dicere cogito,
*qui* ei, *cuia* r(es) tum age|tur, gener socer, vitricus privignus, pa-
tron(us) | lib(ertus), consobrinus sit propiusve eum ea cogna|tione
20 atfinitat*e*ve contingat. Si IIvir || praef(ectus)ve qui ea re colon(is)
petet, non ade|rit ob eam rem, quot ei morbus sonticus, | vadimonium,
iudicium, sacrificium, funus | familiare feriaeve de*n*icales erunt,
25 quo | minus adesse possit sive is propter magistra||tus potestatemve
p(opuli) R(omani) minus atesse poterit: | quo magis eo absente de
eo cui *is* negotium | facesset recip(eratores) sortiantur reiciantur
res iu|dicetur, ex h(ac) l(ege) n(ihilum) r(ogatur). Si privatus petet
30 et is, cum | de ea re iudicium fieri oportebit, non aderit || neque
arbitratu IIvir(i) praef(ecti)ve ubi e(a) r(es) a(getur) excu|sabitur e*i*
harum quam causam esse, quo minus | atesse possit, morbum sonti-
cum, vadimonium, | iudicium, sacrificium, funus familiare, feria*s* |
35 de*n*icales eumve propter mag(istratus) potestatemve || p(opuli)

R(omani) atesse non posse: post ei earum r*erum*, quarum | h(ac) l(ege) quaestio erit, actio ne esto. Deq(ue) e(a) r(e) siremps | lex col. III resque esto, qu*asi* si neque iudices *d*electi neq(ue) recip(eratores) | in eam rem dati essent. |

XCVI. Si quis decurio eius colon(iae) ab IIvir(o) praef(ecto)ve postulabit | u*t*i ad decuriones referatur, de pecunia publica de||que multis poenisque deque locis agris aedificis | publicis quo facto qu*a*eri iudicarive oporteat: tum | IIvi*r* qu*i*ve iure dicundo praerit d(e) e(a) r(e) primo | quoque die decuriones consulito decurionum|que consultum facito fiat, cum non minus m(aior) p(ars) || decurionum atsit, cum ea re*s* consuletur. Vti m(aior) p(ars) | decurionum, qui tum aderint, censuer(int), ita ius | ratumque esto. |

XCVII. Ne quis IIvir neve quis pro potestate in ea colon(ia) | facito neve ad decuriones referto neve d(ecurionum) d(ecretum) facito || fiat, quo quis colon(is) colon(iae) patron(us) sit atoptetur|ve praeter eum, *cui* c(olonis) a(grorum) d(andorum) a(tsignandorum) i(us) ex lege Iulia est, eum|que, qui eam colon(iam) deduxerit, liberos posteros*q*ue | eorum, nisi de m(aioris) p(artis) decurion(um) *qui tum ad*erunt per tabellam | sententi*a*, cum non minus L aderunt, cum e(a) r(es) || consuletur. Qui atversus ea fecer*it*, HS IↃↃ colon(is) | eius colon(iae) d(are) d(amnas) esto, eiusque pecuniae colon(is) eius | colon(iae) *q*ui volet petitio esto. |

XCVIII. Quamcumque munitionem decuriones huius|ce coloniae decreverint, si m(aior) p(ars) decurionum || atfuerit, cum e(a) r(es) consuletur, eam munitionem | fieri liceto, dum ne amplius in annos sing(ulos) in|que homines singulos puberes operas quinas et | in ‹iumenta plaustraria› iuga sing(ula) operas ter|nas decernant. Eique munitioni aed(iles) qui tum || erunt ex d(ecurionum) d(ecreto) praesunto. Vti decuriones censu|erint, ita muniendum curanto, dum ne in|vito eius opera exigatur, qui minor annor(um) XIIII | aut maior annor(um) LX natus erit. Qui in ea colon(ia) | intrave eius colon(iae) finis domicilium praedi||umve habebit neque eius colon(iae) colon(us) erit, is ei|dem munitioni uti colon(us) par*e*to. |

XCVIIII. Quae aquae publicae in oppido colon(iae) Gen(etivae) | adducentur, IIvir, qui tum erunt, ad decuriones, | cum col. IV duae partes aderunt, referto, per quos agros | aquam ducere liceat. Qua p*ar*s maior decurion(um), | qui tum aderunt, duci decreverint, dum ne || per it aedificium, quot non eius rei causa factum | sit, aqua ducatur, per eos agros aquam ducere | i(us) p(otestas)que esto, neve quis facito, quo minus ita | aqua ducatur. |

C. Si quis colon(us) aquam in privatum caducam ducere || volet isque at IIvir(um) adierit postulabit|*q*ue, uti ad decurion(es) referat, tum is IIvir, a quo | ita postulatum erit, ad decuriones, cum non mi|nus XXXX aderunt, referto. Si decuriones m(aior) p(ars) qui | tum atfuerint, aquam caducam in privatum duci || censuerint, ita ea aqua utatur, quot sine priva|*ti* iniuria fiat, i(us) potest(as)que e(sto). |

CI. Quicumque comitia magistrat*ib*us creandis subrogan|dis habebit, is ne qu*em* eis comitis pro tribu acci|pito neve renuntiato neve renuntiari iubeto, || qui *in* e*a*rum qu*a* causa erit, *e* qua *e*um h(ac) l(ege) in colon(ia) | decurionem nominari creari inve decurionibus | esse non oporteat non liceat. |

CII. IIvir qui h(ac) l(ege) quaeret iud(icium)*ve* exercebit, quod iudicium | uti uno die fiat h(ac) l(ege) presti*tu*tum non est, ne quis || eorum ante h(oram) *I* neve post horam XI diei quaerito | neve iudicium exerceto. Isque IIvir in singul(os) | accusatores, qui eorum delator erit, ei h(oras) IIII, qui | subscriptor erit, h(oras) II accusandi potest(atem) facito. Si | quis accusator de suo tempore alteri concesserit, || quot eius cuique concessum erit, eo amplius cui | concessum erit dicendi potest(atem) facito. Qui de suo | tempore alteri concesserit, quot eius cuique conces|serit, eo minus ei dicendi potest(atem) facito. Quot horas | omnino omnib(us) accusatorib(us) in sing(ulas) actiones di||cendi potest(atem) fieri oporteb(it), totidem horas et alter|um tantum reo quive pro eo dicet in sing(ulas) actiones | dicendi potest(atem) facito. |

CIII. Quicumque in col(onia) Genet(iva) IIvir praef(ectus)ve i(ure) d(icundo) praerit, eum colon(os) | incolasque contributos*que* quocumque tempore colon(iae) fin(ium) | *defen*dendorum causa armatos educere decurion(es) censuerint, || quot m(aior) p(ars) qui tum aderunt decreverint, id e(i) s(ine) f(raude) s(ua) f(acere) l(iceto). *Ei*|que IIvir(o) aut quem IIvir armatis praefecerit idem | ius eademque anim*a*dversio esto, uti tr(ibuno) mil(itum) p(opuli) R(omani) in | exercitu p(opuli) R(omani) est, itque e(i) s(ine) f(raude) s(ua) f(acere) l(iceto) i(us) p(otestas)que e(sto), dum it, quot | m(aior) p(ars) decurionum decreverit, qui tum aderunt, fiat. ||

CIIII. Qui limites decumaniqu*e* intra fines c(oloniae) G(enetivae) deducti facti|que erunt, quaecum(que) fossae limitales in eo agro erunt, | qui iussu C. Caesaris dict(atoris) imp(eratoris) et lege Antonia senat(us)que | c(onsultis) pl(ebi)que sc(itis) ager datus atsignatus erit, ne quis limites | decumanosque opsaeptos neve quit immolitum neve || quit ibi opsaeptum habeto, neve eos arato, neve eis fossas | opturato neve opsaepito, quo minus suo itinere aqua | ire fluere possit. Si quis atversus ea quit fecerit, is in | res sing(ulas), quotienscumq(ue) fecerit, HS ∞ c(olonis) c(oloniae) G(enetivae) I(uliae) d(are) d(amnas) esto, | eiusq(ue) pecun(iae) *q*ui volet petitio p(ersecutio)q(ue) esto. ||

CV. Si quis quem decurion(um) indignum loci aut ordinis de|curionatus esse dicet, praeterquam quot libertinus | erit, et ab IIvir(o) postulabitur, uti de ea re iudici|um reddatur, IIvir, quo de ea re in ius aditum erit, | ius dicito iudiciaque reddito. Isque decurio, || qui iudicio condemnatus erit, postea decurio | ne esto neve in decurionibus sententiam dici|to neve IIvir(atum) neve aedilitatem petito neve | quis IIvir comitis suffragio eius rationem | habeto neve IIvir(um) neve aedilem renunti||ato neve renuntiari sinito.

CVI. Quicumque c(olonus) c(oloniae) G(enetivae) erit, quae iussu C. Caesaris dict(atoris) ded(ucta) | est, ne que*m* in ea col(onia) coetum conventum coniu*rationem*. . .

*(Deest tabula continens capita leg. CVI fin.*
*CVII–CXXII. CXXIII princ.)*

*CXXIII. IIvir ad quem d(e) e(a) r(e) in ius aditum erit, ubi iudicibus, apud quos e(a) r(es) agetur, maiori parti eorum planum factum non erit, eum de quo iudicium datum est decurionis loco indignum esse, eum* | qui accusabitur ab his iudicibus eo iudicio absolvi | iubeto. Qui ita absolutus erit, quod iudicium *p*raevari|cation(is) causa *fac*tum non sit, is eo iudicio h(ac) l(ege) absolutus esto. |

Tab. IV, col.

CXXIIII. Si quis decurio c(oloniae) G(enetivae) decurionem c(oloniae) G(enetivae) h(ac) l(ege) de indignitate ac||cusabit, eum*que* quem accusabit eo iudicio h(ac) l(ege) condemna|rit, is ‹qui quem eo iudicio ex h(ac) l(ege) condemnarit,› si volet, | in eius locum qui condemnatus erit sententiam dice|re, ex h(ac) l(ege) liceto itque eum (sine) f(raude) s(ua) iure lege recteq(ue) fa|cere liceto, eiusque is locus in decurionibus sen||tentiae dicendae rogandae h(ac) l(ege) esto. |

CXXV. Quicumque locus ludis decurionibus datus *at*signatus | relictusve erit, ex quo loco decuriones ludos spectare | o(portebit), ne quis in eo loco nisi qui tum decurio c(oloniae) G(enetivae) erit, qui|ve tum magist*r*atus imperium potestatemve colono*r*(*um*) || suffragio ‹geret› iussuque C. Caesaris dict(atoris) co(n)s(ulis) prove | co(n)s(ule) habebit, quive pro quo imperio potestateve tum | in c(olonia) Gen(etiva) erit, quibusque loc*o*s in decurionum loco | ex d(ecreto) d(ecurionum) col(oniae) Gen(etivae) d(ari) o(portebit), quod decuriones de*c*r(everint), cum non minus | dimidia pars decurionum adfuerit cum e(a) r(es) consulta erit, || ‹ne quis praeter eos, qui (supra) s(cripti) s(unt), qui locus decurionibus da|tus atsignatus relictusve erit, in eo loco› sedeto neve | quis alium in ea loca sessum ducito neve sessum *d*uci | iubeto s*c*(iens) d(olo) m(alo). Si quis adversu*s* ea sederit s(ciens) d(olo) m(alo) *sive* | quis atversus ea sessum duxerit ducive iusserit s(ciens) d(olo) m(alo), || is in res sing(ulas), quotienscumque quit d(e) e(a) r(e) atv*er*sus ea | fecerit, HS IↃↃ c(olonis) c(oloniae) G(enetivae) I(uliae) d(are) d(amnas) esto, eiusque pecunia*e qu*i eorum | volet rec(iperatorio) iudicio aput IIvir(um) praef(ectum)ve actio petitio perse|cutio ex *h*(*ac*) *l*(*ege*) ‹i(us) potest(as)que› e(sto). |

CXXVI. IIvir, aed(ilis), praef(ectus) quicumque c(oloniae) G(enetivae) I(uliae) ludos scaenicos faciet, si||ve quis alius c(oloniae) G(enetivae) I(uliae) ludos scaenicos faciet, colonos Geneti|vos incolasque hospites*que* atventoresque ita sessum du|cito, ‹ita locum dato distribuito atsignato,› uti d(e) e(a) r(e) ‹de | eo loco dando atsignando› decuriones, cum non min(us) | L ‹decuriones›, cum e(a) r(es) c(onsuletur), in decurionibus adfuerint, || decreverint statuerint s(ine) d(olo) m(alo). Quot ita ab decurionib(us) | ‹de loco dando atsignando› statu*tum* decretum erit, | it h(ac) l(ege) i(us) r(atum)q(ue) esto. Neve is qui ludos faciet aliter aliove | modo sessum ducito neve duci iubeto neve locum dato | ne*v*e dari iubeto neve locum attribuito neve attribui || iubeto neve locum atsignato neve atsignari iubeto ne|ve quit facito, qu*o* aliter aliove modo, adque uti | locus datus atsignatus attributusve erit, sedeant, ne|ve facito,

quo quis alieno loco sedeat, sc(iens) d(olo) m(alo). Qui atver|sus
ea fecerit, is in res singulas, quotien*sc*umque quit || atversus ea 45
fecerit, HS IↃↃ c(olonis) c(oloniae) G(enetivae) I(uliae) d(are)
d(amnas) e(sto), eiu*sque* pecuni|ae cui volet rec(iperatorio) iudicio
a*p*ut IIvir(um) pr*a*ef(ectum)ve actio pe|titio persecutioque h(ac)
l(ege) ‹ius potestasque› esto. |

CXXVII. Quicumque ludi scaenici c(oloniae) G(enetivae)
I(uliae) fient, ne quis in or|chestram ludorum spectandor(um) causa col. II
praeter ma(gistratum) | prove mag(istratu) p(opuli) R(omani), quive
i(ure) d(icundo) p(raerit) *et* si quis senator p(opuli) R(omani) est
erit | fuerit, et si quis senatoris f(ilius) p(opuli) R(omani) est erit
fuerit, et si | quis praef(ectus) fabrum eius mag(istratus) prove
magistrat*u*, || qui provinc(iarum) Hispaniar(um) ulteriorem ‹Bae- 5
ticae pra|erit› optinebit, er*i*t, et quos ex h(ac) l(ege) decurion(um)
loco | ‹decurionem› sedere oportet oportebit, ‹praeter eos | qui supra
s(cripti) s(unt) ne quis in orchestram ludorum spectan|dorum causa›
sedeto, ‹neve quisque mag(istratus) prove mag(istratu) || p(opuli) 10
R(omani) q(ui) i(ure) d(icundo) p(raerit) ducito›, neve quem quis
sessum ducito, | neve in eo loco sedere sinito, uti q(uod) r(ecte)
f(actum) e(sse) *v*(olet) s(ine) d(olo) m(alo). |

CXXVIII. II(vir) aed(ilis) pra*e*f(ectus) c(oloniae) G(enetivae)
I(uliae) quicumque erit, is suo quoque anno mag(istratu) | im-
perioq(ue) facito curato, quod eius fieri poterit, | u(ti) q(uod) r(ecte)
f(actum) *e*(sse) v(olet) s(ine) d(olo) m(alo) mag(istri) ad fana templa
delubra, que*m* || ad modum decuriones censuerin(*t*) ‹suo qu*o*|que 15
anno› fiant e*i*qu(*e*) ‹d(ecurionum) d(ecreto)› suo quoque anno |
ludos circenses, sacr*i*ficia pulvinariaque | facienda curent, que*m*
*a*d modum ‹quitquit› de iis | rebus, mag(istris) creandis, *lu*(dis)
circensibus facien||dis, sacrificiis procu*r*andis, pulvinaribus fa|ciendis 20
decuriones statuerint decreverint, | ‹ea omnia ita fiant›. Deque
iis omnibus rebus | quae s(upra) s(criptae) s(unt) quotcumque de-
curiones statuerint | decreverint, it ius ratumque esto, eiq(ue)
omnes, || at quos ea res pertinebit, quot quemque eorum | ex h(ac) 25
l(ege) facere oportebit, faciunto s(ine) d(olo) m(alo). Si quis | at-
versus ea fecerit quotiens*cum*que quit atver|sus ea fecerit, HS CCIↃↃ
c(olonis) c(oloniae) G(enetivae) I(uliae) d(are) d(amnas) e(sto), eius-
que pecun(iae) | *q*ui eorum volet rec(iperatorio) iudic(io) aput

IIvir(um) || praef(ectum)*ve* actio petitio persecutioq(ue) e(x) h(ac) l(ege) | ⟨ius pot(estas)⟩ esto. |

CXXIX. IIvir(i) aediles praef(ectus) c(oloniae) G(enetivae) I(uliae) quicumq(*u*)e erunt decurionesq(ue) c(oloniae) G(enetivae) I(uliae) qui|cumq*ue* erunt, ii omnes d(ecurionum) d(ecretis) diligenter parento optemperanto s(ine) d(olo) m(alo) fa|ciuntoque uti quot *que*mq(ue) eor(um) decurionum d(ecreto) agere facere o(portebit) ea om||nia agant faciant, u(ti) q(uod) r(ecte) f(actum) e(sse) v(olent) s(ine) d(olo) m(alo). Si quis ita non fecerit sive quit atver|sus ea fecerit sc(iens) d(olo) m(alo), is in res sing(ulas) HS CCIↃↃ *c*(*olonis*) c(oloniae) G(enetivae) I(uliae) d(are) d(amnas) e(sto), eiusque pecuniae *q*ui | *e*or(um) volet rec(iperatorio) iudic(io) aput IIvir(um) praef(ectum)ve actio petitio persecutioque ex h(ac) l(ege) | ⟨ius potestasque⟩ e(sto). |

CXXX. Ne quis IIvir aed(ilis) praef(ectus) c(oloniae) G(enetivae) I(uliae) quicunque erit ad decurion(es) c(oloniae) G(enetivae) referto neve decurion(es) || consulito neve d(ecretum) d(ecurionum) facito neve d(e) e(a) r(e) in tabulas p(ublicas) referto neve referri iubeto | neve quis decur(io) d(e) e(a) r(e), q(ua) d(e) r(e) a(getur), in decurionib(us) sententiam dicito neve d(ecretum) d(ecurionum) scri|bito, neve in tabulas pu*b*licas referto, neve referundum curato, quo quis | senator senatorisve f(ilius) p(opuli) R(omani) c(oloniae) G(enetivae) patronus atoptetur sumatur fiat nisi de tri|um partium d(ecurionum) ⟨d(ecreto)⟩ senten*t*(*ia*) per tabellam ⟨facito⟩ et nisi de eo homine, ⟨de quo || tum referetur consuletur, *d*(*ecretum*) d(ecurionum) fiat⟩, qui, cum | e(a) r(es) a(getur), in Italiam sine impe*r*io privatus | erit. Si quis adversus ea ad *dec*urion(es) rettulerit d(ecurionum)ve d(ecretum) fecerit faciendumv*e* | curaverit inve tabulas p*ublicas* rettulerit referrive iusserit sive quis in decurionib(us) | sententiam di*x*erit d(ecurionum)ve *d*(*ecretum*) *scrips*erit in*ve* tabulas publicas rettulerit referendumve || curaverit, in res sing(ulas), quo*tienscu*mque quit atversus ea fecerit, *is* HS CCCIↃↃↃ c(olonis) c(oloniae) G(enetivae) I(uliae) | d(are) d(amnas) e(sto), eiusque pecuniae *q*ui *eorum vole*t rec(iperatorio) iudi(cio) aput IIvir(um) interregem praef(ectum) actio | petitio persecutioqu*e ex h*(*ac*) *l*(*ege*) ⟨*i*(*us*) *pot*est(as)que⟩ e(sto). |

CXXXI. N*e* quis IIvir ⟨aed(ilis)⟩ praef(ectus) *c*(*oloniae*) *G*(*ene-*

*tivae*) I(*uliae*) *quicu*mque erit ad decuriones c(oloniae) G(enetivae) referto neve d(ecuriones) con|sulito neve d(ecretum) d(ecurionum) col. III facito neve d(e) e(a) r(e) in tabulas publicas referto neve referri iubeto | neve quis decurio d(e) e(a) r(e) in decurionib(us) sententiam dicito neve d(ecretum) d(ecurionum) scribito ne|ve in tabulas publicas referto neve referundum curato, quo quis senator | senatori*s*ve f(ilius) p(opuli) R(omani) c(oloniae) G(enetivae) I(uliae) hospes atoptetur, hospitium tesser*a*ve hospi*tal*is cum || quo fi*at*, *n*isi de maio*r*is p(artis) decurionum sententia per tabellam ⟨facito⟩ et nisi | de eo *h*omine, ⟨de quo tum referetur consuletur, d(ecretum) d(ecurionum) fiat⟩, qui, cum e(a) r(es) a(getur), in Italiam | sine imperio privatus erit. Si quis adversus ea ad decuriones rettulerit d(ecretum)ve | d(ecurionum) fe*c*erit faciendumve curaverit inve tabulas publicas rettulerit re|*f*errive iusserit sive quis in decurionibus sententiam dixerit d(ecretum)ve d(ecurionum) || scripserit in*ve* tabul(as) public(as) rettulerit referendumve curaverit, | *i*s in res sing(ulas) quotienscumque quit adversus ea fecerit, HS CCIↃↃ c(olonis) c(oloniae) | G(enetivae) Iuliae d(are) d(amnas) e(sto), eiusque pecuniae *q*ui eorum volet recu(peratorio) iudic(io) | aput IIvir(um) pr*a*ef(ectum)ve actio petitio persecutioque h(ac) l(ege) ⟨ius potest(as)que⟩ esto. |

CXXXII. Ne quis in c(olonia) G(enetiva) post h(anc) l(egem) datam petitor kandidatus, || quicumque in c(olonia) G(enetiva) I(ulia) mag(istratum) petet, *m*agistratus*ve* peten|di causa in eo anno, quo quisque anno petitor | kandidatus mag(istratum) petet petiturusve erit, ⟨mag(istratus) pe|tendi⟩ convivia facito neve at cenam que*m* | vocato neve convivium habeto neve facito s(ciens) *d*(*olo*) m(alo), || quo qui*s* suae petitionis causa convi*vi*um habeat | ad cenamve que*m* vocet, praeter ⟨dum⟩ quod ip|se kandidatus petitor in eo anno, *quo* mag(istratum) petat, | voca*rit* dum taxat *in* dies sing(ulos) h(ominum) VIIII ⟨convi*vi*um | habeto⟩, si volet, s(ine) d(olo) m(alo). Neve quis petitor kandidatus || donum munus aliudve quit det largiatur peti|tionis causa sc(iens) d(olo) m(alo). Neve quis alterius petitionis | causa convivia facito neve quem ad cenam voca|to neve convivium habeto, neve quis alterius pe|titionis causa cui quit d*on*um munus aliutve qu*it* || dato donato largito sc(iens) d(olo) m(alo). Si quis atversus ea | fecerit, HS IↃↃ c(olonis) c(oloniae) G(enetivae) I(uliae) d(are) d(amnas) e(sto), eiusque pecuniae *q*ui eor(um) volet | rec(iperatorio) iudic(io) aput IIvir(um) praef(ectum)*ve* actio petitio per|sec(utio)que ex h(ac) l(ege) ‹i(us) potest(as)que› esto. |

CXXXIII. Qui col(oni) Gen(etivi) Iul(ienses) h(ac) l(ege) sunt erunt, eorum omnium uxo||res, quae in c(olonia) G(enetiva) I(ulia) h(ac) l(ege) sunt, ‹eae mulieres› legibus c(oloniae) G(enetivae) I(uliae) vi|rique parento iuraque ‹ex h(ac) l(ege)›, quaecumque | in hac lege scripta sunt, omnium rerum ex h(ac) l(ege) hab*en*|to s(ine) d(olo) m(alo). |

CXXXIV. Ne quis IIvir ‹aedil(is)› praefectus c(oloniae) G(enetivae), quicumque erit, post || h(anc) l(egem) ad decuriones c(oloniae) G(enetivae) referto neve decuriones consu|lito neve d(ecretum) d(ecurionum) facito n*e*ve d(e) e(a) r(e) in tabulas publicas re|ferto neve referri iubeto neve quis decurio, cum e(a) | r(es) a(getur), in decurionibus sententiam dicito neve d(ecretum) d(ecurionum) | scribito neve in tabulas publicas referto nev*e* || *re*ferendum curato, quo cui pecunia publica a*liutve* | quid honoris habendi causa munerisve *dandi pol*|licendi *prove* statua danda ponenda detur do*netur* . . . .

Four bronze tablets found in 1870 and 1874 on the site of Urso in Baetica, now in the museum at Madrid. Each tablet had originally five columns of text, as the third tablet, preserved in its entirety, shows. From each of the other three extant tablets two columns are missing. The tablets containing the early part of the law, perhaps four in number, and the eighth tablet, have not been found. Numbers added at a later date on the margins of the tablets indicate the division into chapters. Probably these tablets were not engraved until after Caesar's death, *cf.* Mommsen, *Ges. Schr.* 1, 208 *ff.*; Hübner, *Ex. scr. ep.* 805. Dessau places the date of the engraving in the reign of Domitian. The letters on the fourth tablet are smaller than those on the others and in it there are many redundant words and phrases which we have enclosed in obtuse-angled brackets. Some scholars think that this tablet takes the place of one that had been lost. Gradenwitz (*Sitz. Ber. d. Heidelberger Akad.* 1920, Heft 17) explains the unevenness in form and manner found in this law as well as in the charters of Malaca and Salpensa on the theory that we have an *Urtext* and a *Beischrift.*

For a summary of the chapters, *cf.* Mommsen, *op. cit.* 1, 211 *ff.*, 247 *ff.* For a translation into English, *cf.* Hardy, *Three Spanish Charters*, 23 *ff.*

The law in its original form must have been drafted by Julius Caesar. In chap. 125 reference is made to any local magistrate holding office *iussu C. Caesaris dictatoris consulis prove consule* (*cf.* chap. 66), and similarly in chap. 106 we read *quae* (*i.e. colonia*) *iussu C. Caesaris dictatoris deducta est.* Caesar is nowhere called *divus*, so that the measure antedates the autumn of 43 B.C. (*cf.* Mommsen, *St. R.* 2, 756, n. 1). It probably belongs to the early part of the year 44 B.C. (*cf.* Mommsen, *Ges. Schr.* 1, 207), and may have been one of the bills which Antony found, or maintained that he found, among the papers of Caesar (*cf.* Cic. *Phil.* 5. 4. 10). The founding of the colony was authorized *iussu C. Caesaris dictatoris imperatoris et lege Antonia senatusque consultis plebique scitis* (chap. 104). This measure is then a *lex data* authorized by a *S.C.* and plebiscite, proposed by Antony.

The greater part of the document deals with strictly domestic matters, but certain chapters have to do with the relations which the municipality bore to the central government, or to Roman citizens, and only with those are we concerned here. The *legationes* referred to in chap. 92 would include embassies sent to Rome, to the provincial governor, or to the provincial council (*cf.* p. 150, n. 7 and no. 126). They sometimes played an important part in calling the grievances of a city or a province to the attention of the central government, but such missions were often useless and were expensive, and ultimately Vespasian limited the number of members to three (*Dig.* 50. 7. 5). In Urso, since the acceptance of an appointment was compulsory, probably *legati* met their own expenses.

For the part which *patroni* took in composing local difficulties and in representing a municipality in Rome, *cf.* Mommsen, *St. R.* 3, 1202 *ff.* and the documents in this book dealing with public arbitration. Chapp. 97 and 130 prescribe rules for the election of *patroni* at Urso. The man who led the colonists out and the man who assigned land to them, together with their descendants, are made patrons *ex officio*. Other patrons must be chosen in the senate when at least fifty members are present (*cf.* chap. 97). Mommsen believed (*Ges. Schr.* 1, 344 *ff.*) that the approval of the local popular assembly was also necessary for the choice of a patron, but *cf.* Hardy, *op. cit.* 108, n. 29. Chap. 130 requires the approval of seventy-five of the one hundred decurions, voting with secret ballots, for the election of a Roman senator or his son (*cf.* no. 64), and absolutely prohibits the election of such a person unless he is a private citizen in Italy *sine imperio.* All the governors of the provinces were at this time senators, and Rome wished to prevent municipalities from currying favour with the governor of their province by electing him to a position of honor. The same objection would attach in a less degree to the election of any senator, because he might at any time be put in charge of a province. The Album of Canusium of A.D. 223 (no. 136) has a list of thirty-nine *patroni*, of whom thirty-one are Roman senators and eight are knights. Mommsen finds (*Ges. Schr.* 1, 239) only three cases of patrons who were senators with the *imperium.* Perhaps they were elected after the termination of their *imperium* (*cf.* Marquardt, *St. Verw.* 1, 189, n. 1).

*Patronatus* and *hospitium* are often confused in the inscriptions (*cf.* Wilmanns, nos. 2850, 2852), but for the distinction between them, *cf.* Leonhard, *R.E.* 8, 2496. The fact that a senate could elect an *hospes* when only a majority of the decurions was present (chap. 131) shows that the position was held in less esteem than that of *patronus.* The same discrimination is made against Roman senators and their sons in this case as holds in the case of the patron.

Of the privileges granted to Roman officials and Roman senators the most noteworthy is the assignment to them of seats in the orchestra of the theatre (chap. 127).

The provision in chap. 103 which authorized the duovir, on receiving the approval of a majority of the decurions present at a meeting, "to call to arms colonists, resident aliens, and attributed persons" for the defense of the colony is surprising and without parallel in other charters, unless we accept Bormann's bold conjecture (*Jahreshefte d. öst. archäol. Inst.* 9 (1906), 315 *ff.*) for the *Fragm. legis Lauriscensis* (Bruns, 33*a*) and read *uter* (*i.e. ex* II*viris*) *postea municipes incolasque . . . . causa armatos educet.* There is no intimation even that the municipal senate required the authorization of the provincial governor in taking this step. Very likely this was a sovereign power granted to municipalities on the frontier or in unruly districts. Reference is made to the members of these armed forces in various inscriptions (*cf. hastiferi civitatis Mattiacorum*, *CIL.* XIII, 7317). They could be quickly summoned to repress an uprising and to hold an attacking enemy in check until the legions could arrive (*cf.* Cagnat, *De municipalibus et provincialibus militiis in imperio Romano*, 93), and perhaps the provincial militia (Hirschfeld, 392 *ff.*) was made up of these municipal levies (*cf.* Mommsen, *Ges. Schr.* 6, 154). It was in harmony with Roman practices in Italy to put this levy in charge of the local magistrate (*cf.* Mommsen, *St. R.* 3, 675, n. 3).

## 27. LEX DE GALLIA CISALPINA, VULGO LEX RUBRIA DE GALLIA CISALPINA

(49–42 a. Chr.)

*CIL.* I, 205 = XI, 1146; Bruns, 16; Girard, p. 72; Riccobono, p. 135.

. . . iussum iudicatumve erit, id ratum ne esto; quodque quis|que quomq(ue) d. e. r. decernet interd*e*icetve seive sponsionem | fierei iudica*rei*ve iubebit iudiciumve quod d. e. r. dabit, is | in id decretum interdictum sponsionem iudicium exceptio||nem addito addive iubeto: "Q. d. r. operis novi nuntiationem | IIvir, IIIIvir praefectusve eius municipei non remeisserit." | Tab. I

XX. Qua de re quisque, et a quo, in Gallia Cisalpeina damnei infectei | ex formula restipularei satisve accipere volet, et ab eo quei | ibei i(ure) d(eicundo) *p*(*raerit*) postulaverit, idque non k(alumniae) k(aussa) se facere iuraverit: tum is, quo || d. e. r. in ius aditum erit, eum, quei in ius eductus erit, d. e. r. ex formu|la repromittere et, sei satis darei debebit, satis dare iubeto de|cernito. Quei eorum ita non repromeisserit aut non satis dede|rit, sei quid interim damni datum factumve ex ea re aut ob e(am) r(em) eo|ve nomine erit, quam ob rem, utei damnei infectei repromissio || satisve datio fierei *iubeatur*, postulatum erit: tum mag(istratus) prove mag(istratu) IIvir | IIIIvir praefec(tus)ve, quoquomque d. e. r. in ius aditum erit, d. e. r. ita ius | deicito iudicia dato iudicareque iubeto cogito, proinde

atque sei | d. e. r., quom ita postulatum esset, damn*e*i infectei ex formula | recte repromissum satisve datum esset. D. *e*. *r*. quod ita iudicium || datum iudicareve iussum iudicatumve erit, ius ratumque esto, | dum in ea verba, sei damnei infectei repromissum non erit, iudi|cium det itaque iudicare iubeat: "I(udex) e(sto). S(ei), ant*e*quam id iudicium | q. d. r. a(gitur) factum est, Q. Licinius damni infectei eo nomine q. d. | r. a(gitur) eam stipulationem, quam is quei Romae inter peregrei||nos ius deicet in albo propositam habet, L. Seio repromeississet: | tum quicquid eum Q. Licinium ex ea stipulatione L. Seio d(are) f(acere) opor|t*e*ret ex f(ide) b(ona) d(um)*t*(*axat*) HS e(ius) i(udex) Q. Licinium L. Seio, sei ex decreto IIvir(ei) | IIIIvir(ei) praefec(tei)ve Mutinensis, quod eius *is* IIvir IIIIvir praefec(tus)|ve ex lege Rubria, seive id pl(ebei)ve sc(itum) est, decreverit, Q. Licinius eo || nomine qua d. r. a(gitur) L. Seio damnei infectei repromittere no|luit, c(ondemnato); s(ei) n(on) p(aret), a(bsolvito)"; aut sei damnei infectei satis datum non erit, | in ea verba iudicium det: "I(udex) e(sto). S(ei), antequam id iudicium q. d. r. a(gitur) | *f*actum est, Q. Licinius damnei infectei eo nomine q. d. r. a(gitur) ea | stipulatione, quam is quei Romae inter peregrinos ius deicet || in albo propositam habet, L. Seio satis dedisset: tum q(uic)q(uid) eum | Q. Licinium ex ea stipulatione L. Seio d(are) f(acere) oporteret ex f(ide) b(ona) d(um) t(axat), | e(ius) i(udex) Q. Liciniu*m* L. Seio, sei ex decreto IIvir(ei) IIIIvir(ei) praef(ectei)ve Muti|nensis, quod eius is IIvir IIIIvir praefect(us)*ve* ex lege Rubria, sei|ve id pl(ebei)ve sc(itum) est, decreverit, Q. Licinius eo nomine q. d. r. a(gitur) || L. Seio damnei infectei satis dare noluit, c(ondemnato); s(ei) n(on) p(aret), a(bsolvito)"; dum IIvir | IIIIvir i(ure) d(eicundo) praefec(tus)ve d. e. r. ius ita deicat curetve, utei ea no|mina et municipium colonia locus in eo iudicio, quod ex ieis | quae proxsume s(cripta) s(unt) accipi*e*tur, includ*a*ntur concipiantur, | quae includei concipei s(ine) d(olo) m(alo) oporteret debebitve, ne quid || ei quei d. e. r. aget petetve captionei ob e(am) r(em) aut eo nomine esse | possit: neive ea nomina, qua*e* in earum qua formula quae s(upra) | s(cripta) s(unt), aut Mutina*m* in eo iudicio includei concipei curet, nise*i*, | iei, quos inter id iudicium accipietur leisve contestabitur, | ieis nominibus fuerint, quae in earum qua formula s(upra) s(cripta) *s*(*unt*), || et nisei sei Mutinae ea res agetur; neive quis mag(istratus)

prove mag(istratu), | neive quis pro quo imperio potestateve erit,
intercedito nei|ve quid aliud facito, quo minus de ea re ita iudicium
detur | iudiceturque. | Tab. II

XXI. A quoquomq(ue) pecunia certa credita, signata forma
p(ublica) p(opulei) R(omanei), in eorum quo o. m. c. p. | f. v. c. c.
t. ve, quae sunt eruntve in Gallia Cisalpeina, petetur, quae res non |
pluris HS XV erit, sei is eam pecuniam in iure apud eum, quei ibei
i(ure) d(eicundo) p(raerit), ei quei || eam petet, aut ei quoius nomine 5
ab eo petetur, d(are) o(portere) debereve se confessus | erit, neque
id quod confessus erit solvet satisve faciet, aut se sponsione | iudicio-
que ute*i* oportebit non defendet, seive is ibei d. e. r. in iure non |
responderit, neque d. e. r. sponsionem faciet neque iudicio utei
oportebit | se defendet: tum de eo, a quo ea pecunia peteita erit,
deque eo, quoi eam || pecuniam d(arei) o(portebit), s(iremps) res 10
lex ius caussaque o(mnibus) o(mnium) r(erum) esto atque utei
esset esseve | oporteret, sei is, quei ita confessus erit, aut d. e. r.
non responderit aut se | sponsione iudicioque utei oportebit non
defenderit, eius pecuniae iei | quei eam suo nomine petierit quoive
eam d(arei) o(portebit), ex iudicieis dateis iudi|careve recte iusseis
iure lege damnatus esset fuisset. Qu*e*ique quomque || IIvir IIIIvir 15
praefec(tus)ve *i*bei i(ure) d(eicundo) p(raerit), is eum, quei ita quid
confessus erit | neque id solvet satisve faciet, eum*ve* quei se sponsione
iudiciove utei | oportebit non defenderit aut in iure non responderit
neque id solvet | satisve faciet, t(antae) p(ecuniae), quanta ea pecunia
erit de qua tum inter eos am|bigetur, dum t(axat) *HS* XV s(ine)
f(raude) s(ua) duci iubeto; queique eorum quem, ad quem || ea res 20
pertinebit, duxserit, id ei fraudi poenaeve ne esto: quodque ita
fac|tum actum iussum erit, id ius ratumque esto. Quo minus in
eum, quei ita | vadimonium Romam ex decreto eius, quei ibei i(ure)
d(eicundo) p(raerit), non promeisserit | aut vindicem locupletem
ita non dederit, ob e(am) r(em) iudicium recup(erationem) is, quei |
ibei i(ure) d(eicundo) p(raerit), ex h. l. det iudicareique d. e. r. ibei
curet, ex h. l. n(ihilum) r(ogatur). ||

XXII. A quo quid praeter pecuniam certam creditam, signatam 25
forma p(ublica) p(opulei) R(omanei), | in eorum quo o. m. c. p.
*f.* v. c. c. t. ve quae sunt eruntve in Gallia cis Alpeis, | petetur,
quodve quom eo agetur, quae res non pluris HS XV erit, et sei | ea

res erit, de qua re omnei pecunia ibei ius deicei iudiciave darei ex h. l. o(portebit), | sei is eam rem, quae ita ab eo petetur deve ea re cum eo agetur, ei quei eam *rem* || petet deve ea re age*t*, aut iei quoius nomine ab eo petetur quomve eo age|tur in iure apud eum, quei ibei i(ure) d(eicundo) p(raerit), d(are) *f*(*acere*) p(raestare) restituereve oportere aut | se debere, eiusve eam rem esse aut se eam habere, eamve rem de | qua arguetur se fecisse obligatumve se eius rei noxsiaeve esse confes|sus erit deixseritve neque d. e. r. satis utei oportebit faciet aut, sei || sponsionem fierei oportebit, sponsionem non faciet, *aut* non restituet, | neque se iudicio utei oportebit defendet, aut sei d. e. r. in iure | nihil responderit, neque d. e. r. se iudicio utei oportebit defendet: | tum de eo a quo ea res ita petetur quomve eo d. e. r. ita agetur, deque | eo, quoi eam rem d(arei) f(ierei) p(raestarei) restitui satisve d. e. r. fierei oportebit, || s(iremps) l(ex) r(es) i(us) c(aussa)q(ue) o(mnibus) o(mnium) r(erum) e(sto), atque utei esset esseve oporteret, sei is, quei ita | quid earum rerum confessus erit aut d. e. r. non responderit neq(ue) | se iudicio utei oportebit defenderit, de ieis rebus Romae apud pr(aetorem) | eumve quei de ieis rebus Romae i(ure) d(eicundo) p(rae)esset in iure confessus esset, | aut ibei d. e. r. nihil respondisset aut iudicio se non defendisset; || p(raetor)q(ue) isve quei d(e) e(is) r(ebus) Romae i(ure) d(eicundo) p(raerit) in eum et in heredem eius d(e) e(is) r(ebus) om|nibus ita ius deicito decernito eosque duci bona eorum possideri | proscreibeive veneireque iubeto, ac sei is heresve eius d. e. r. in | iure apud eum pr(aetorem) eumve quei Romae i(ure) d(eicundo) praesse*t*, confessus es|set aut d. e. r. nihil respondisse*t* neque se iudicio utei oportuis||set defendisset; dum ne quis d. e. r. nisei pr(aetor) isve quei Romae i(ure) d(eicundo) p(raerit) | eorum quoius bona possiderei proscreibei veneire duceique | eum iubeat. |

XXIII. Queiquomque in eorum quo o. m. c. p. f. v. c. c. t. ve quae in Gal|lia Cisalpeina sunt erunt, i(ure) d(eicundo) p(raerit), is inter eos, quei de fami||li*a* erceiscunda deividunda iudicium sibei darei reddeive | in eorum quo o. m. c. p. f. v. c. c. t. ve, quae s(upra) s(cripta) s(unt), postu|laverint, ita ius deicito decernito iudicia dato iudicare | iubeto, utei in eo o. m. c. p. f. v. c .c. t. ve, in quo is, quoius *de boneis agetur*, *domicilium habuerit*. . . . .

Bronze tablet found in 1760 in the ruins of Veleia, now in

Parma. The number (IIII) at the top of the tablet shows that three tablets which preceded it have been lost. Many scholars think that this law was passed after 42 B.C., when Gallia Cisalpina was incorporated into Italy. This is the view held by Savigny (*Verm. Schr.* 3, 319–326, 377–400), by Huschke (*Gaius, Beiträge*, 203–242), and by Karlowa (1, 440–443). Mommsen on the other hand maintains (*Ges. Schr.* 1, 175–191) that it belongs to the year 49 B.C. The reference to the region concerned in chap. XX as Gallia Cisalpina naturally points to a date earlier than 42 B.C. Mommsen holds also that the *fragmentum Atestinum* (no. 28) is a part of this law. Now in the second paragraph of this fragment a *lex rogata* of L. Roscius is cited by day and month, but the year is not mentioned. From this fact he concludes that the *lex de Gall. Cis.* must have been passed later in the same year. The *lex Roscia*, mentioned in the Atestine fragment, belongs, he thinks, to the year 49 B.C., in which year L. Roscius was one of the praetors (Caes. *B.C.* 1. 3). The validity of the principal argument rests, therefore, on the relation which the fragment of Este bears to our law, and on the attribution of the *lex Roscia* to the praetor, Roscius. For the serious difficulty which this explanation involves, *cf.* Pais, *Ricerche sulla storia e sul diritto pubblico di Roma, Serie terza*, 389. The theory of Nap, who ascribes the law to Sulla's dictatorship (*Themis*, 1913, 194 *ff.*), is adequately refuted by Hardy, *Some Problems in Roman History*, 207 *ff.*

For the connection between the Atestine fragment and our law, *cf.* Hardy, *Six Roman Laws*, 110–124, especially 123 *f.* Whether our law is identical with the *lex Rubria*, cited twice in the formulae in chap. XX, is a matter of high dispute. If it is identical with our law, it is a *lex rogata.* Mommsen, however, observes (*loc. cit.*) that the other laws promulgated for a similar purpose were *leges datae*, and that there are no formulae in our law to prove that it is a *lex rogata.* He is therefore inclined to think that it is a *lex data* and consequently distinct from the *lex Rubria.* For the opposite view, *cf.* Kipp, *Gesch. d. Quellen d. röm. Rechts*$^3$, 42, n. 10; Hardy, *op. cit.* 124.

This inscription is of great importance for two reasons: (1) It gives us the procedure at the beginning of the formulary period (on the *formulae*, *cf.* Wenger, *R.E.* 6, 2859 *ff.*); (2) It gives us the most precise information which we have of the lines of demarcation between the competence of the central government and of local magistrates in Italian communities, made up of Roman citizens, in judicial matters. We are concerned here with the second point only. The law applied to Gallia Cisalpina the same system long in vogue elsewhere in Italy. It was probably called forth by the grant of Roman citizenship to Gallia Cisalpina.

Following in part the system, as analyzed by Hardy (*op. cit.* 117–119), we find that it seems to cover the following points: (1) The municipal magistrate has full competence in matters involving 15,000 sesterces or less; (2) Even where larger amounts are at stake, he may take initial proceedings; (3) In certain cases he has jurisdiction irrespective of the amount claimed; (4) In the absence of a *cautio damni infecti* (*cf.* Leonhard, *R.E.* 3, 1816) the municipal magistrate may take action similar to that which would have been taken by the *praetor peregrinus* in like circumstances; (5) In certain cases of condemnation for debt, the municipal magistrate may provisionally arrest the debtor and make him *addictus* (*cf.* Leist, *R.E.* 1, 352). For the practice at Venafrum, *cf.* no. 33. The local magistrates mentioned are the *duoviri*, *quattuorviri*, and *praefecti* (chapp. XIX, XX). The *praefectus* is an official appointed in the absence of the regular magistrate. The duovirs were the usual magistrates in colonies, the quattuorvirs in *municipia* (*cf.* p. 59). For a description of the several communities mentioned in the early part of chap. XXI, *cf.* pp. 10 *ff.* The phrase *neive quis magistratus prove magistratu neive quis pro quo imperio potestateve erit*, etc. (chap. XX, end) seems to refer to the proconsul because Gallia Cisalpina continued to be a province until 42 B.C. Certain phrases indicated by abbreviations in this inscription are *d*(*e*) *e*(*a*) *r*(*e*), *qu*(*a*) *d*(*e*) *r*(*e*), *h*(*ac*) *l*(*ege*) or the grammatical forms needed in the connection, and *o*(*ppido*) *m*(*unicipio*) *c*(*olonia*) *p*(*raefectura*) *f*(*oro*) *v*(*eico*) *c*(*onciliabulo*) *c*(*astello*) *t*(*erritorio*) or the appropriate grammatical forms.

## 28. FRAGMENTUM ATESTINUM

(49–42 a. Chr.)

*Notizie degli scavi*, 1880, 213; Bruns, 17; Girard, p. 78; Riccobono, p. 140.

*Quei post hanc legem rogatam in eorum quo oppido municipio colonia* *praefectura foro veico conciliabulo castello territoriove, quae in Gallia Cisalpeina sunt eruntve, ad* II*virum* IIII*virum praefectumve in iudicium fiduciae aut pro socio aut* mandati aut tutelae suo nomine quodve ipse earum rerum | quid gessisse dicetur, add*u*cetur, aut quod furti, quod ad ho|minem liberum liberamve pertinere deicatur, aut iniuri|arum agatur: sei is, a quo petetur quomve quo agetur, d(e) || e(a) r(e) in eo municipio colonia praefectura iudicio certa|re *volet* et si ea res HS CCIↃↃ minorisve erit, quo minus ibei d(e) e(a) r(e) | iudex arbiterve addicatur detur, quove minus ibei d(e) e(a) r(e) iudicium ita | feiat, utei de ieis rebus, quibus ex h(ac) l(ege) iudicia | data erunt, iudicium fierei exerceri oportebit, ex h. l. n(ihilum) r(ogatur). ||

Quoius rei in qu*o*que municipio colonia praefectura | quoiusque IIvir(i) eiusve, qui ibei lege foedere pl(ebei)ve sc(ito) s(enatus)|ve c(onsulto) institutove iure dicundo praefuit, ante legem, sei|ve illud pl(ebei) sc(itum) est, quod L. Roscius a. d. V eid. Mart. populum | plebemve rogavit, quod privatim ambigetur, iuris dict*i*||o iudicis arbitri recuperatorum datio addictiov*e fuit* | quantaeque rei pequniaeve fuit: eius rei pequn*iaeve* | quo magis privato Romae revocatio sit qu*ove* |*mi*nus quei ibei i(ure) d(icundo) p(raerit) d(e) e(a) r(e) ius dicat iudice*m arbitrumve det* | utei ante legem, sive illud pl(ebei) sc(itum) est, *quod L. Roscius a. d.* || V eidus Mart. populum plebe*mve rogavit*, | *ab eo quei ibei i(ure) d(icundo) p(raerit) ius d*i*ci* iu*dicem arbitrumve dari oportuit, ex h(ac) l(ege) n(ihilum) r(ogatur).*

Bronze tablet found in 1880 at Ateste in Cisalpine Gaul, now in the museum at Este. Mommsen held that it contained a fragment of the *lex de Gallia Cisalpina* (no. 27); *cf. Ges. Schr.* 1, 175–191. This view has been opposed by Alibrandi, *Opere giuridiche*, 1, 395 *ff.*; Karlowa, 1, 441; Krüger, *Gesch. d. Quellen*, 73; Esmein, *Mélanges d'histoire et du droit*, 269–292; Appleton, *Revue générale du droit*, 24 (1900), 193 *ff.*, and Kipp, *Gesch. d. Quellen*$^3$, 42, n. 10. The main objection to Mommsen's theory lies in the fact that the *lex de Gall. Cis.* grants municipal magistrates full competence in suits involving not more than 15,000 sesterces, whereas in this fragment, in certain cases, at least, the maximum is set at 10,000. The date is uncertain. Some editors think that it deals with the enfranchisement of all communities south of the Po after the Social war, in spite of the fact that the tablet was found in the Transpadane region, and they attribute the *lex Roscia*, mentioned in it, to Roscius, tribune in 67 B.C. Those who regard the fragment as part of the *lex de Gall. Cis.* put it in the year 49 B.C., while still others date it as not earlier than 49 or later than 42 B.C.

The purpose of the law was to make certain changes in competence necessitated by the granting of new rights. In some cases, at least, involving a sum not exceeding 10,000 sesterces, the accused has the option of bringing his case before the municipal magistrate, and *revocatio Romae* is limited, temporarily or permanently, in its application in some circumstances.

The nine classes of communities which are mentioned in no. 27, chap. XXI, and which Mommsen has included among the missing words at the beginning of this fragment, are reduced to three in the second paragraph of the fragment, because a local magistrate had judicial competence in a *municipium*, *colonia*, and *praefectura* only. The powers of a local magistrate may rest on any one of three different bases, according to the second paragraph of the fragment. They may be granted by a treaty (*foedere*), by an enactment of the popular assembly or senate (*lege*, *plebei scito*, *senatus consulto*), or traditional usage (*instituto*) may be continued in force without special legal authorization. The phrase *ante legem, seive illud plebei scitum est, quod L. Roscius . . .rogavit* implies that the Roscian law was a *plebiscitum*, and, consequently makes it difficult to connect this measure with the praetor L. Roscius of 49 B.C., but Mommsen believes that the bill in question was submitted to the plebeian assembly by the praetor (*St. R.* 3, 159, n. 2), and he calls attention to a parallel phrase in the *lex Bantina* (*CIL.* I, 197, ll. 7, 15).

## 29. EPISTULAE ANTONI ET CAESARIS AD PLARASENSES ET APHRODISIENSES

(39–35 a. Chr.)

*CIG.* 2737; Viereck, *Sermo Graecus*, 5; Bruns, 43; Ditt. *Or. Gr.* 453–455; Riccobono, p. 217.

[Μᾶρκος Ἀντώνιος Μάρκου υἱὸς αὐτοκράτωρ ὕπατος ἀποδεδει]|γμένος
τὸ β′ καὶ [τὸ γ′ | τῶν] τριῶν ἀνδρῶν τῆ[ς] | τῶν
5 δημοσίων πρα|γμάτων διατάξεως || Πλαρασέων καὶ Ἀφρο|δεισιέων
ἄρχουσιν | βουλῆι δήμωι χαίρειν. | Εἰ ἔρρωσθε, εὖ ἂν

10 ἔ|χοι· ὑγιαίνω δὲ καὶ || αὐτὸς μετὰ τοῦ στρα|τεύματος. Σόλων |
15 Δημητρίου ὑμέτερος | πρεσβευτής, ἐπι|μελέστατα πεφρον||τικὼς
τῶν τῆς πό|λεως ὑμῶν πραγ|μάτων, οὐ μόνον | ἠρκέσθη ἐπὶ
20 τοῖς | γεγονόσιν οἰκονο||[μή]μασιν, ἀλλὰ καὶ | ἡμᾶς παρεκά-
25 λεσ|εν εἰς τὸ τοῦ γεγο|νότος ὑμεῖν ἐπι|κρίματος καὶ δόγμα||τος
καὶ ὁρκίου καὶ νό|μου ἀντιπεφωνημέ|να ἐκ τῶν δημοσίων |
30 δέλτων ἐξαποστεῖ|λαι ὑμεῖν τὰ ἀντίγρα||φα. Ἐφ' οἷς ἐπαινέ|σας
τὸν Σόλωνα μᾶλ|λον ἀπεδεξάμην ἔσ|χον τε ἐν τοῖς ὑπ' ἐμοῦ |
35 γεινωσκομένοις,|| ὧι καὶ τὰ καθήκοντα | ἀπεμέρισα φιλάν|θρωπα,
40 ἄξιον ἡγη|σάμενος τὸν ἄν|δρα τῆς ἐξ ἡμῶν τει||μῆς, ὑμεῖν τε
συ|νήδομαι ἐπὶ τῶι ἔχειν | τοιοῦτον πολείτην. | Ἔστιν δὲ ἀντί-
45 γραφα | τῶν γεγονότων ὑ||μεῖν φιλανθρώπων | τὰ ὑπογεγραμ-
μένα· | ἃ ὑμᾶς βούλομαι | ἐν τοῖς δημοσίοις | τοῖς παρ' ὑμεῖν ||
50 γράμμασιν ἐντάξαι.

### Γράμματα Καίσαρος

. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

[. . . . . . . .| δί]καια ἐσθλά τε [πολλ]ὰ ἐλευθέρους εἶναι, τῶι
[τε] δικαίωι καὶ ταῖς [κρίσεσιν ταῖς ἰδίαις τὴν πό|λιν] τὴν
Πλαρασέων καὶ Ἀφροδεισιέων χρῆσθαι μήτε ἐγγύην ε[ἰς Ῥώμην
αὐτοὺς κατὰ δόγμα τι | κ]αὶ κέλευσιν ὁμολογεῖν· ἅ τέ τινα
ἔπαθλα τειμάς φιλάνθρω[πα. . . . . . . . . . . . . . .τρεῖς ἄνδρες | ο]ἱ
τῆς τῶν δημοσίων πραγμάτων διατάξεως τῶι ἰδίωι ἐπικρίματι
5 Πλ[αρασεῦσι καὶ Ἀφροδισιεῦ||σι] προσεμέρισαν προσμεριοῦσιν,
συνεχώρησαν συνχωρήσουσιν, τα[ῦτα πάντα κύρια εἶναι | γ]ενέ-
σθαι. Ὁμοίως τε ἀρέσκειν τῆι συγκλήτωι, τὸν δῆμον τὸν
Πλα[ρασέων καὶ Ἀφροδεισιέ|]ων τὴν ἐλευθερίαν καὶ τὴν ἀτέ-
λειαν αὐτοὺς πάντων τῶν πραγ[μάτων ἔχειν καρπίζεσθαι, |
καθ]άπερ καὶ τίς πολιτεία τῶι καλλίστωι δικαίωι καλλίστωι
τε νόμωι ἐστίν, [ἥτις παρὰ τοῦ | δήμο]υ τοῦ Ῥωμαίων τὴν
ἐλευθερίαν καὶ τὴν ἀτέλειαν ἔχει φίλη τε καὶ σύ[μμαχος γεγέ||-
10 νηται. Ὅ τε] τέμενος θεᾶς Ἀφροδίτης ἐν πόλει Πλαρασέων
καὶ Ἀφροδεισιέω[ν καθιέρωται, τοῦτο | ἄσυλον ἔ]στω ταὐτῶι
⟨τῶι⟩ δικαίωι ταὐτῆι τε δεισιδαιμονίαι, ὧι δικαίωι καὶ ἧι δεισ[ι-
δαιμονίαι Ἀρτέμι|δος Ἐφε]σίας ἐστὶν ἐν Ἐφέσωι, κύκλωι τε
ἐκείνου τοῦ ἱεροῦ εἴτε τέμενος εἴτ[ε ἄλσος ἐστίν, οὗ|τος ὁ]
τόπος ἄσυλος ἔστω. Ὅπως τε ἡ πόλις καὶ οἱ πολεῖται
οἱ Πλαρασέων [καὶ Ἀφροδεισίεων | μεθ' ὧ]ν κωμῶν χωρίων

*ὀχυρωμάτων ὀρῶν προσόδων πρὸς τὴν φιλίαν το[ῦ δήμου προσ-*
15 *ῆλθον, ταῦτα || ἔχωσ]ιν κρατῶσιν χρῶνται καρπίζωνταί τε*
*πάντων πραγμάτων ἀτε[λεῖς ὄντες.* Μ*ηδέ τινα | φόρον δ]ιά τινα*
*αἰτίαν ἐκείνων διδόναι μηδὲ [σ]υνεισφέρειν ὀφείλωσιν, [ἀλλ'*
*αὐτοὶ πᾶ|σι τούτ]οις κατ' οὖσαν μετὰ ταῦτα ἐν ἑαυτοῖς κύρωσιν*
*χρῶν[ται καρπίζωνται κρατῶσιν.* Ἔδοξεν].

From Aphrodisias in Caria. The union of two cities in a common polity is not unusual. Plarasa and Aphrodisias issued coinage jointly (Head, *Hist. Numm.* 530). The third document engraved on the stone is the decree of the senate ratifying the acts of the triumvirs. Aphrodisias is mentioned by Pliny (*N.H.* 5. 109) as a free state. By this decree freedom was conferred, and exemption from tribute granted. The citizens could not be compelled to give bail for appearance before a court in Rome. The shrine of Aphrodite enjoyed the same rights of asylum as that of Diana at Ephesus (*cf.* Tac. *Ann.* 3. 61). The revenues from the *territorium* were granted to the city without any liability to tribute. For the status of free cities, *cf.* pp. 39 *ff*.

## 30. EPISTULA AUGUSTI AD MYLASENSES

(31 a. Chr.)

Viereck, *Sermo Graecus*, 6; Ditt. *Syll.*³ 768.

Αὐτοκράτωρ Καῖσαρ *θεοῦ* Ἰουλίου | *υἱὸς ὕπατός τε τὸ τρίτον*
*καθεσ|ταμένος* Μυλασέων *ἄρχουσι βου|λῆι δήμωι χαίρειν.* Εἰ
5 *ἔρρωσθε κ[α]||λῶς ἂν ἔχοι· καὶ αὐτὸς δὲ μετὰ τ[οῦ] | στρατεύ-*
*ματος ὑγίαινον.* Κα[*ὶ πρό*]|*τερον μὲν ἤδη περὶ τῆς κατ[ασχού]|-*
*σης ὑμᾶς τύχης προσεπέ[μψατέ] | μοι, καὶ νῦν παραγενομένω[ν*
10 *τῶν] || πρεσβευτῶν,* Οὐλιάδ[*ου* . .]

. .*ς τῶν πολεμίων πταῖσαι καὶ πρατη[θεί]|σης τῆς πόλεως,*
*πολλοὺς μὲν αἰχμαλώτο[υς] | ἀποβαλῖν πολίτας, οὐκ ὀλίγους*
*μὲν φονευθέ[ν]|τας, τινὰς δὲ καὶ συνκαταφλεγέ(ν τας τῇ πόλε[ι],||*
15 *τῆς τῶν πολεμίων ὠμότητος οὐδὲ τῶν | ναῶν οὐδὲ τῶν ἱερῶν τῶν*
*ἁγιωτάτων ἀ|ποσχομένης· ὑπέδιξαν δέ μοι καὶ περὶ | τῆς χώρας*
*τῆς λελεηλατημένης καὶ τῶν | ἐπαύλεων τῶν ἐμπεπρησμένων,*
20 *ὥστε ἐμ || πᾶσιν ὑμᾶς ἠτυχηκέναι· ἐφ' οἷς πᾶσιν συνε[ῖ|δον*
*παθόντας] ταῦτα πάσης τειμῆς καὶ χάρι|[τος ἀξίους ἄνδρας*
*γενομέν]ους ὑμᾶς πε[ρὶ* Ῥωμαίους . .]

From Mylasa. Unfortunately the major portion of the letter of Augustus is lost, and we cannot determine precisely its content, but it is probable that the Mylasans were given the rank of a free city (Pliny, *N.H.* 5. 108; *cf. CIG.* 2695*b*). The city of Mylasa had been occupied by the troops of Labienus nine years before. During a festival the soldiers were massacred by the citizens, who abandoned their homes when Labienus advanced against them. He rased the city to the ground (Cassius Dio, 48. 26; Strabo, 14. 2. 24, p. 660). *Cf.* nos. 32, 133.

### 31. TITULUS OPERIS PUBLICI

(31 a. Chr.)

*Notizie degli scavi*, 1915, 139; *An. ép.* 1916, no. 60.

Decuria | Q. Arrunti | Surai, cur(atoribus) | Q. Arruntio || C. Sabello | Pig(neratore) T. Arrio. | Sum(ma) h(ominum) XCIIX. | In sing(ulos) hom(ines) | op(eris) p(edes) XLIII. S||(umma) p(edum) ∞ IↃↃCCXIV.

Found at Saletto di Montagnana near Este in 1907. It refers to work performed by veterans, after the battle of Actium, in building levees along the river Atesis near Ateste. Another inscription from Ateste refers to the same matter (*CIL.* v, 2603). To carry out the work the soldiers were divided into squads, each one of them bearing the name of some leader. This squad took the name of Q. Arruntius Sura, who was also one of the overseers. In it were ninety-eight men, and to each man forty-three feet were assigned. This is one of the earliest of those great constructive works carried out by soldiers, from which the provincial cities profited so much under the empire, and of which we have so many records in Africa; *cf.* nos. 72 and 103.

### 32. EPISTULA IMPERATORIS, VEL PROCONSULIS, AD MYLASENSES

(ca. 30 a. Chr.)

Le Bas-Waddington, 3. 442–443; *CIG.* 2695*b*, 2700*e*.

. . . . . . . . . . . . . . . . . . . . . . . . . . *καὶ [τ]ὰς ὑπὲρ τῶν δημοσίων | [ἐπι]κτήσεις(?) εἴς τε τὸν κοινὸν [τῆς] πόλεως καρφισμὸν τινῶν ἀνα[σ|τά]σεις ὑπονοθεύειν, οἷς δὴ κἂν ἐπι[τρέ]πωμεν φορολογεῖν* τὴν [Μυ]|λασέων πόλιν εἰς δουλικὴν περι[ου]σίαν, ἡμεῖν μὲν ἂν ἴσως ἧι ἐφ[ορῶ]||σιν αἰσχρά τε καὶ ἡμῶν ἀνάξιος, ἀ[δύ]νατος δὲ ἂν ὅμως κἀκεί[ν]|οις γένοιτο πρά[σ]σουσι δημοσίαι τοὺς δημοσίαι κυρίους, μ[ή]|τε χρημάτων μήτε προσόδω[ν] δημοσίων ὑποκειμέν[ω]|ν, εἰ μὴ κατὰ τελῶν ἐπίρειψιν λογ[ίζ]ειν τοὺς ἑνὸς ἑκάστου. . . . .| υς τάς τε κεφαλὰς ἐπὶ τελῶν ει. . .θέλοιεν, τῆς πόλεως οὐδ[ὲ τὴν] || ἐπανόρθωσιν τῶν ἐκ τῆς Λαβιήνο[υ] ληστήας ἐρειπίων ἑτοίμως ἀ[ν]|αφερούσης, ὃ δὴ καὶ αὐτοὶ προϊδόμε[νοι] προδανεισμοῖς ἰδιωτῶν [εἰς] | χρέα δημόσια τὴν πόλιν ὑπηγάγο[ν]το, οὐ διὰ τὸ καθ' ὑπαλλαγὴ[ν ἀνα|λ]ωμάτων (?) τὴν Καίσαρος ὑπὲρ Μυλασέ[ων. . . . . . . . . . . .] |

From Mylasa. *Cf.* no. 30. This document appears to be a part of a letter of some emperor or governor relative to the collection of taxes or tribute, but the interpretation is exceedingly obscure. The letter probably belongs to a period not much later than no. 30.

## 33. EDICTUM AUGUSTI DE AQUAEDUCTU VENAFRANO

(17–11 a. Chr.)

*CIL.* x, 4842; Bruns, 77; Girard, p. 186; Riccobono, p. 316; Dessau, 5743.

*Edictum imp*(*eratoris*) Caesaris *Augusti* (*finis huius versus et praeterea sex fere toti evanuerunt*)—. . . . . . . . . . . . . . . . . . . . . . . . . . Venafranorum nomin*e*. . . . . . .*ius sit lice*atque.

Qui rivi specus saepta fon*tes*. . . . . . . . . . . . . .que aquae *ducend*ae reficiundae || causa supra infrave libram *facti aedi*ficati structi sunt, sive quod | aliut opus eius aquae ducendae refi*ci*undae causa supra infrave libram | factum est, uti quidquid earum r*er*um factum est, ita esse habere itaque | reficere reponere restituere resarcire semel saepius, fistulas canales | tubos ponere, aperturam committere, sive quid aliut eius aquae ducen||dae causa opus *er*it, facere placet: dum qui locus ager in fundo, qui | Q. Sirini (?) L. f. Ter. *est esseve* dicitur, et in fundo, qui L. Pompei M. f. Ter. Sullae | est esseve dicitur, m*aceri*a saeptus est, per quem locum subve quo loco | specus eius aquae pe*rve*nit, ne ea maceria parsve quae eius maceriae | aliter diruat*ur tollat*ur, quam specus reficiundi aut inspiciendi cau||sa; *neve quid ibi pri*vati sit, quominus ea aqua ire fluere ducive poss*it* |

......Dextra sinistraque circa eum rivom circaque | ea o*pera, quae*
*eius aqu*ae ducendae causa facta sunt, octonos pedes agrum | *v*acuo*m*
*esse placet*, per quem locum Venafranis eive, qui Venafranorum |
*nomine*......., iter facere eius aquae ducendae operumve eius
aquae || *ductus faciendor*um reficiendorum *causa*, quod eius s(ine) 25
d(olo) m(alo) fiat, ius sit liceatque, | quaeque ea*rum rer*um cuius
faciendae reficiendae causa opus erunt, quo | proxume poterit
advehere adferre adportare, quaeque inde exempta erunt, | quam
maxime aequaliter dextra sinistraque p. VIII iacere, dum ob eas res
damn*i* | infecti iurato promittatur. Earumque rerum omnium ita
habendarum || colon(is) (?) Ven*afra*nis ius potestatemque esse 30
placet, dum ne ob id opus domi|nus eorum cuius agri locive, per
quem agrum locumve ea aqua ire fluere | ducive solet, invius fiat;
neve ob id opus minus ex agro suo in partem agri | quam transire
transferre transvertere recte possit; neve *c*ui eorum, per quo|rum
agros ea aqua ducitur, eum aquae ductum corrumpere abducere
aver||tere facereve, quo minus ea aqua in oppidum Venafranorum 35
recte duci | fluere possit, liceat. |

Quaeque aqua in oppidum Venafranorum it fluit ducitur, eam
aquam | distribuere discribere vendundi causa, aut ei rei vectigal
inponere consti|tuere, IIviro IIviris praefec(to) praefectis eius colo-
niae ex maioris partis decuri||onum decreto, quod decretum ita 40
factum erit, cum in decurionibus non | minus quam duae partes
decurionum adfuerint; legemque ei dicere ex | decreto decurionum,
quod ita ut supra scriptum est decretum erit, ius po|testatem*q*ue
esse placet; dum ne ea aqua, quae ita distributa discripta deve qua |
ita decretum erit, aliter quam fistulis plumbeis d(um) t(axat) ab
rivo p(edes) L ducatur; neve || eae fistulae aut rivos nisi sub terra, 45
quae terra itineris viae publicae limi|tisve erit, ponantur conlocentur;
neve ea aqua per locum privatum in|vito eo, cuius is locus erit,
ducatur. Quamque legem ei aquae tuendae op*e*|ribusve, quae eius
aquae ductus ususve causa facta sunt erunt, tuendis | *IIviri praefect*i
*e*x decurion(um) decreto, quod ita ut s(upra) s(criptum) e(st) factum
erit, dixeri*nt*, || *eam*.... .*fir*mam ratamque esset placet | (*undecim* 50
*versus evanidi facti*)...................Venafranae s........
......atio quam colono aut incola*e*....|....da......is cui ex
decreto decurionum ita, ut supra comprensum est, ne||gotium datum 65

erit, agenti, tum, qui inter civis et peregrinos ius dicet, iudicium | reciperatorium in singulas res HS. X reddere, testibusque dumtaxat X denun|tiand*o q*uaeri placet; dum reciperatorum reiectio inter eum qui aget et | eum quocum agetur ita fi*et, ut ex lege, q*uae de iudicis privatis lata est, | licebit oportebit.

On a block of marble at Venafrum. Venafrum is one of the twenty-eight colonies established in Italy by Augustus (*cf.* Suet. *Aug.* 46), as its name, *colonia Augusta Iulia* (*cf. CIL.* x, 4894, 4875; *Lib. colon.* 239. 7) indicates. These colonies, Suetonius says (*Aug.* 46), (*Augustus*) *operibus ac vectigalibus publicis plurifariam instruxit.* Very likely his gift to the colony was recorded in the first paragraph of the inscription. There is no reference in it to the penalties established by the *lex Quinctia de aquaeductibus* (*cf.* Bruns, 22) of 9 B.C., and the settlement of disputes is referred to the peregrine praetor (*cf.* l. 65, *qui inter civis et peregrinos ius dicet*), and not to the *curatores aquarum*, who took charge of such matters after 11 B.C.; *cf.* Mommsen, *Ges. Schr.* 3, 97. On the other hand the *lex de iudicis privatis* of the last paragraph is probably a *lex Iulia* of 17 B.C. (*cf.* Wlassak, *Röm. Processgesetze*, 1, 173–188). Therefore the inscription falls between 17 and 11 B.C. The document is an edict. No mention is made in it of the co-operation of the Roman senate; *cf.* Mommsen, *op. cit.* 3, 81. From this document it is clear (*cf.* l. 38, *vendundi causa*) that private persons did not receive water free in the municipalities, as they did in Rome, but they were charged a rental (*cf.* Mommsen, *op. cit.* 3, 91), and the proceeds were covered into the local treasury; *cf.* p. 138. The distribution of the water was under the control of the magistrates and decurions, and the importance of the matter is indicated by the fact that the presence of a quorum of two-thirds of the decurions was required to make the action legal; *cf.* pp. 67 *f.* The most interesting point in the inscription for us is the fact that the adjudication of offenses is referred to Rome, not to the local magistrates. This is a logical outcome of the fact that the aqueduct was given to the city by Augustus. It is possible that cases involving a fine less than 10,000 sesterces were heard by the local magistrates. In the *lex de Gallia Cisalpina* of 49–42 B.C., the municipal officials had full competence in matters involving 15,000 sesterces or less; *cf.* no. 27. It is probable, as Mommsen remarks (*op. cit.* 3, 96), that the Roman practice in this matter varied from place to place. With the establishment of the empire, gifts were more and more frequently made to the cities by the emperor, and this precedent shows us how these donations gave the central government the natural right to take part in the conduct of local affairs.

## 34. DECRETUM CONCILI ASIAE DE FASTIS PROVINCIALIBUS

(ca. 9 a. Chr.)

Ditt. *Or. Gr.* 458, ll. 78 *ff.*; *Inschriften von Priene*, 105.

*Ἔδοξεν τοῖς ἐπὶ τῆς Ἀσίας Ἕλλησιν, γνώμηι τοῦ ἀρχιερέως Ἀπολλωνίου τοῦ | Μηνοφίλου Ἀζεανείτου· ἐπεὶ τὴν νέαν νουμηνίαν ἀεὶ δεῖ ἑστάναι τὴν αὐτὴ[ν] ‖ ἅπασιν τῆς εἰς τὰς ἀρχὰς εἰσόδου κατά τε τὸ Παύλου Φαβίου Μαξίμου τοῦ ἀν|θυπάτου διάταγμα καὶ τὸ τῆς Ἀσία(ς) ψήφισμα ἐνποδίζεται δὲ ἡ τοῦ χρόνου | τάξις παρὰ τὰς ἐν τοῖς ἀρχαιρεσίοις ἐπικλήσεις, γείνεσθαι τὰ κατὰ τὰ | ἀρχαιρέσια μηνὶ δεκάτωι, ὡς καὶ ἐν τῶι Κορνηλίωι νόμωι γέγραπται, ἐντὸς | δεκάτης ἱσταμένου.*

From Priene. We have omitted the first 77 lines of the inscription carved on this stone. Paullus Fabius Maximus, proconsul of Asia, wrote to the provincial assembly urging the council to adopt the natal day of Augustus as the beginning of the official year in the province, and to change from the lunar to the solar reckoning of the Julian calendar. The assembly adopted the recommendation enthusiastically as a means of conferring honor upon the deified emperor. Copies of the decree were ordered to be engraved and set up in the different cities. In addition to the copy from Priene, others have been found at Apamea (*CIG.* 3957), Dorylaeum (*CIL.* III, 13651), Eumenia (*CIG.* 3902*b*), and Maeonia (*Denkschriften der Wiener Akademie*, 54 (1911), 80 *ff.*). The part of the document which we have included in this collection is a second decree of the provincial assembly regulating the elections of municipal magistrates under the revised calendar according to the Sullan constitution. The Sullan era had been adopted by many of the cities of Asia, probably those whose constitutions he had remodelled. According to the Sullan law elections must be held fifty days before the beginning of the civil year. This arrangement was doubtless made to allow sufficient time for the settlement of appeals in the case of candidates who did not wish to serve in the office to which they had been elected. Very little is known of the Sullan constitution. It regulated the duties of the governor (Cic. *ad fam.* 1. 9. 25; 3. 6. 3, 6) and the administration of the municipalities (Cic. *ad fam.* 3. 10. 6), and apparently defined the privileges of free cities (*Ath. Mitth.* 24 (1899), 234, no. 74).

## 35. EPISTULA P. CORNELI SCIPIONIS, PROCONSULIS ASIAE, AD THYATIRENOS

(7–6 a. Chr.)

Cagnat, *IGRR.* 4, 1211; Viereck, *Sermo Graecus*, 8.

Πόπλιος Κορνήλιος Σ[*κιπίων ἀνθύπατος* Ῥ*ωμαίων*] | Θ*υατειρηνοῖς ἄρχουσ*[*ι βουλῆι δήμωι χαίρειν*]. | Δ*ίκαιον εἶναι νομίζω ὑ*[*μᾶς. . . . . . . . . . . . ὡς*] | *καὶ νόμιμόν ἐστιν τ*[*ὰς γενομένας ὑπὲρ τῶν ἱε*]||*ρῶν χρημάτων κρίσε*[*ις. . . . . . . .*]|*γης δικαστῶν κελευ*[. . . . . . . . . *καὶ οὐ*]||*δὲν πλέον τοῖς ἐπικαλ*[*ουμένοις. . . . . . . ὑπε*]|*ρωνηθεῖσι τὸ παραβόλ*[*ιον. . . . . . . ὁ*|*π*]*ό*[*σ*]*η τοῖς φυγοδικοῦσ*[*ι. . . . . . . .*] || . . . . . *ἐμὴν ἅπαντα. . . . . . . . .*|[*ε*]*ἰσηγησαμένου* Α*ὔλου* Ῥ*αυ*(*ί*)*ο*[*υ. . . . . . . . . .*

The subject of this fragmentary letter of the provincial governor to the citizens of Thyatira is obscure. Apparently the temple-lands had been leased for a high rental and the lessees had brought suit for an abatement of the terms. It would seem that the decision of the court had been unacceptable to the Thyatirans and they had persisted in holding the lessees to their contract. The latter had appealed to the governor, and he urged the city to abide by the decision of the court or of the arbiters. *Cf.* Chapot, *La prov. rom. proc. d'Asie*, 128, n. 1.

## 36. EPISTULA IMPERATORIS AUGUSTI AD CNIDIOS

(6 a. Chr.)

Viereck, *Sermo Graecus*, 9; Cagnat, *IGRR.* 4, 1031; *IG.* xii, 3, 174; Ditt. *Syll.*$^3$ 780.

[. . | . . δαμι]ω̣ργοῦ δὲ Καιρογένεος Λευ[κα]θέου̣ (?).

Αὐτοκράτωρ Καῖσαρ θεοῦ υἱὸς Σεβαστός, ἀρχιερεύς, | ὕπατος τὸ δωδέκατον ἀποδεδειγμένος | καὶ δημαρχικῆς ἐξουσίας τὸ ὀκτωκαιδέκατον, || Κνιδίων ἄρχουσι, βουλῆι, δήμωι χαίρειν. Οἱ πρέσ|βεις ὑμῶν Διονύσιος β′ καὶ Διονύσιος β′ τοῦ Διονυ|σίου ἐνέτυχον ἐν Ῥώμηι μοι, καὶ τὸ ψήφισμα ἀποδόντες | κατηγόρησαν Εὐβούλου μὲν τοῦ Ἀναξανδρίδα τεθνει|ῶτος ἤδη, Τρυφέρας δὲ τῆς γυναικὸς αὐτοῦ παρούσης || περὶ τοῦ θανάτου τοῦ Εὐβούλου τοῦ Χρυσίππου. Ἐγὼι | δὲ ἐξετάσαι προστάξας Γάλλωι Ἀσινίωι τῶι ἐμῶι φίλωι | τῶν οἰκετῶν τοὺς ἐνφερομένους τῆι αἰτίᾳ διὰ βα|σάνων ἔγνων Φιλεῖνον τὸν Χρυσίππου τρεῖς νύ|κτας συνεχῶς ἐπεληλυθότα τῆι οἰκίαι τῆι Εὐβού||λου καὶ Τρυφέρας μεθ' ὕβρεως καὶ τρόπωι τινὶ πολι|ορκίας, τῆι τρίτηι δὲ συνεπηιγμένον καὶ τὸν ἀδελ|φὸν Εὔβουλον, τοὺς δὲ τῆς οἰκίας δεσπότας Εὔβου|λον καὶ Τρυφέραν, ὡς οὔτε χρηματίζοντες πρὸς | τὸν Φιλεῖνον οὔτε ἀντιφραττόμενοι ταῖς προσ||βολαῖς ἀσφαλείας ἐν τῆι ἑαυτῶν οἰκίᾳ τυχεῖν ἠδύναν|το, προστεταχότας ἑνὶ τῶν οἰκετῶν οὐκ ἀποκτεῖ|ναι, ὡς ἴσως ἄν τις ὑπ' ὀργῆς οὐ[κ] ἀδίκου προήχθη, ἀλ|λὰ ἀνεῖρξαι κατασκεδάσαντα τὰ κόπρια αὐτῶν· τὸν | δὲ οἰκέτην σὺν τοῖς καταχεομένοις εἴτε ἑκόντα || εἴτε ἄκοντα—αὐτὸς μὲν γὰρ ἐνέμεινεν ἀρνούμενο[ς] |—ἀφεῖναι τὴν γάστραν, [κα]ὶ τὸν Εὔβουλον ὑποπεσεῖν δικαιό|[τ]ερον ἂν σωθέντα ταὶδελφοῦ. Πέπονφα δὲ ὑμεῖν καὶ α[ὐ|τ]ὰς τὰς ἀνακρίσεις. Ἐθαύμαζον δ' ἄν, πῶς εἰς τόσον | ἔδεισαν τὴν παρ' ὑμεῖν ἐξετασίαν τῶν δούλων οἱ φ[εύ||γοντες τὴν δίκην, εἰ μή π̣οι σφόδρα αὐτοῖς ἐδόξ[ατε] | χαλεποὶ γεγονέναι καὶ πρὸς τὰ ἐναντία μισοπόνη[ροι], | μὴ κατὰ τῶν ἀξίων πᾶν ὁτιοῦν παθεῖν, ἐπ' ἀλλο[τρίαν] | οἰκίαν νύκτωρ μεθ' ὕβρεως καὶ βίας τρὶς ἐπεληλυ[θό]|των καὶ τὴν κοινὴν ἁπάντων ὑμῶν ἀσφάλειαν̣ [ἀναι]||ρούντων ἀγαναχτοῦντες, ἀλλὰ κατὰ τῶν καὶ ἡν̣[ίκ' ἠ]|μύνοντο ἠτυχηκότων, ἠδικηκότων δὲ οὐδ' ἔστ[ιν ὅ,τι]. | Ἀλλὰ νῦν ὀρθῶς ἄν μοι δοκεῖτε ποιῆσαι τῆι ἐμῆι [περὶ τού]|των γνώμηι προνοήσαντες καὶ τὰ ἐν τοῖς δημ[οσίοις] | ὑμῶν ὁμολογεῖν γράμματα. Ἔρρωσθε.

This inscription, containing the letter of Augustus to the Cnidians and the letter of Trajan to the Astypalaeans (no. 75), was found at Astypalaea. The letter of Augustus deals with the appeal of Eubulus and Tryphera to the emperor. They were residents of Cnidus, a free town, and a slave in their household had accidentally killed a Cnidian who had assailed their house. As public opinion was against them, they feared to submit themselves to the jurisdiction of the local court and they fled to Rome. The Cnidians sent an embassy to Augustus with a decree of the city accusing the fugitives and demanding their extradition or punishment. The emperor instructed the governor of Asia to investigate. When he made his report, Augustus rendered a decision acquitting the accused and rebuking the Cnidians for their attitude towards Eubulus and Tryphera (*cf.* Mommsen, *Roman Provinces*, 1, 352, n. 1; Chapot, *La prov. rom. proc. d'Asie*, 126 *f.*). Free cities had jurisdiction over civil and criminal cases in their own courts, but the right of appeal to the emperor, granted to all citizens of the empire, marks the lessening of the power of local magistrates. This development was intensified, when, as at Cnidus, the local courts were swayed by partisan prejudice. *Cf.* nos. 25, 40.

## 37. IUSIURANDUM PAPHLAGONUM

(3 a. Chr.)

Cagnat, *IGRR.* 3, 137; Ditt. *Or. Gr.* 532.

Ἀπὸ Αὐτοκράτορος Καίσ[αρος] | θεοῦ υἱοῦ Σεβαστοῦ ὑπατεύ[οντος τὸ] | δωδέκατον ἔτους τρίτου, π[ροτέραι] | νωνῶν Μαρτίων ἐν Γάγγροις ἐν [τ]ἀ[γορᾶι] ὅρ||κος ὁ τελεσθ[εὶς ὑ]πὸ τῶ[ν] κατοικ[ούντων Πα]||φλαγονία[ν καὶ τῶν πραγ]ματευομ[ένων πα]||ρ' αὐτοῖς Ῥ[ωμαίων]. | Ὀμνύω Δία, Γῆν, Ἥλιον, θεοὺς πάντα[ς καὶ πά]||σας καὶ αὐτὸν τὸν Σεβασ[τ]όν, εὐνοή[σειν Καί]||σαρι Σεβαστῶι καὶ τοῖς τ[έκ]νοις ἐγγό[νοις τε] | αὐτοῦ πάν[τ]α [τ]ὸν τοῦ [βίου] χρόνον κ[αὶ λό]||γωι [κ]αὶ ἔργωι καὶ γνώμ[ηι, φί]λους ἡγού[μενος] | οὓς ἂν ἐκεῖνοι ἡγῶντα[ι] ἐκχθρούς τε ν[ομίζων] | οὓς ἂν αὐτοὶ κρίνωσιν, ὑπέρ τε τῶν τ[ούτοις] || διαφερόντων μήτε σώματος φείσεσθ[αι μή]||τε ψυχῆς μήτε βίου μήτε τέκνων, ἀλ[λὰ παν]||τὶ τρόπωι ὑπὲρ τῶ[ν] ἐκείνοις ἀνηκό[ντων] | πάντα κίνδυνον ὑπομένειν· ὅτι τε ἂ[ν

*αἴσ]‖θωμαι ἢ ἀκούσω ὑπεναντίον τούτ[οις λε]‖γόμενον ἢ βου-* 20
*λευόμενον ἢ πρασσό[μενον,] | τοῦτο ἐγμηνύσειν τε καὶ ἐχθρὸν*
*ἔσ[εσθαι τῶι] | λέγοντι ἢ βουλευομένωι ἢ πράσσο[ντί τι τού-|*
*των· οὕς τε ἂν ἐκχ̣θροὺς αὐτ[ο]ὶ κρίν[ωσιν, τού]|τους κατὰ γῆν*
*καὶ θάλασσαν ὅπλο[ις τε] ‖ καὶ σιδήρωι διώξειν καὶ ἀμυνεῖ-* 25
*σ[θαι.] | Ἐὰν δέ τι ὑπεναντίον τούτωι τ[ῶι ὅρκωι] | ποήσω ἢ*
*μὴ στοιχούντως καθὼ[ς ὤμο]|σα, ἐπαρῶμαι αὐτός τε κατ' ἐμοῦ*
*καὶ σ[ώμα]|τος τοῦ ἐμαυτοῦ καὶ ψυχῆς καὶ βίου κα[ὶ τέ]‖κνων* 30
*καὶ παντὸς τοῦ ἐμαυτοῦ γέν[ους] | καὶ συνφέροντος ἐξώλειαν*
*καὶ παν[ώλει]|αν μέχρι πάσης διαδοχῆς τῆς ἐ[μῆς καὶ] | τῶν ἐξ*
*ἐμοῦ πάντων, καὶ μήτε σ[ώματα τὰ] | τῶν ἐμῶν ἢ ἐξ ἐμοῦ μήτε*
*γῆ μ[ήτε θάλασ]‖σα δέξαιτο μηδὲ καρποὺς ἐνέγ[κοι αὐτοῖς.] |* 35
*Κατὰ τὰ αὐτὰ ὤμοσαν καὶ οἱ ἐ[ν τῆι χώραι] | πάντες ἐν τοῖς*
*κατὰ τὰς ὑ[παρχίας Σε]|βαστήοις παρὰ τοῖς βωμοῖ[ς τοῦ*
*Σεβαστοῦ·] | ὁμοίως τε Φαζιμωνεῖται οἱ [τὴν νῦν Νεάπο]‖λιν* 40
*λεγομένην κατοικοῦν[τες ὤμοσαν σύμ]|παντες ἐν Σεβαστήωι*
*παρὰ τ[ῶι βωμῶι τοῦ] | Σεβαστοῦ.*

From Phazimon (Neoclaudiopolis) in Paphlagonia. Paphlagonia was organized as a province of the empire in 6 B.C. The oath of loyalty to Augustus was taken three years later at Gangra, the seat of provincial government, and the same oath was administered throughout the province at the altars of Augustus. The restoration ὑ[παρχίας] in l. 37 is due to Reinach, and is conditionally accepted by Dittenberger. The hyparchy was the ancient satrapy (Haussoullier, *Rev. Philol.* 25 (1901), 22 *ff.*). Dittenberger suggests that the term may be applied to a *conventus* under the Roman administration. For similar oaths, *cf.* nos. 47, 48. Phazimon was raised from a village to a city by Pompey (Strabo, 12. 3. 38, p. 560).

## 38. RES GESTAE DIVI AUGUSTI

(28 a. Chr.–6 p. Chr.)

*CIL.* III, pt. II, pp. 769 *ff.*; Cagnat, *IGRR.* 3, 158.

Chap. 3 (= col. I, ll. 16 *ff.*).

Millia civium Roma*norum adacta* sacramento meo fuerunt circiter *quingen*|ta. Ex quibus dedu*xi in coloni*as aut remisi in municipia sua stipen*dis emeri*|tis millia aliquant*o plura qu*am trecenta et

iis omnibus agros a*dsignavi* | aut pecuniam pro p*raemis mil*itiae dedi.

### Chap. 15 (= col. III, ll. 17 *ff.*).

In colon*i*s militum meorum consul quintum ex manibiis viritim | millia nummum singula dedi; acceperunt id triumphale congiarium | in colo*n*is hominum circiter centum et viginti millia.

### Chap. 16 (= col. III, ll. 22 *ff.*).

Pecuniam *pro* agris, quos in consulatu meo quarto et postea consulibus | M. Cr*asso et* Cn. Lentulo augure adsignavi militibus, solvi municipis. Ea | *summa ses*tertium circiter sexsiens milliens fuit, quam *p*ro Italicis || praed*is* numeravi, et ci*r*citer bis mil*li*ens et sescentiens, quod pro agris | provin*c*ialibus solvi. Id primus et *s*olus omnium, qui *d*eduxerunt | colonias militum in Italia aut in provincis, ad memor*i*am aetatis | meae feci. Et postea Ti. Nerone et Cn. Pisone consulibus, item*q*ue C. Antistio | et D. Laelio cos., et C. Calvisio et L. Pasieno consulibus, et L. Le*ntulo et* M. Messalla || consulibus, et L. Caninio et Q. Fabricio co*s*. milit*ibus*, *qu*os eme|riteis stipendis in sua municipi*a dedu*x*i*, praem*ia n*umerato | persolvi, quam in rem ses*tertium quater m*illien*s l*i*bente*r | impendi. |

### Chap. 18 (= col. III, ll. 40 *ff.*).

*Inde ab eo anno*, *q*uo Cn. et P. Lentuli *cons*ules fuerunt, cum de*f*icerent | *vectigalia*, *tum* centum millibus h*omi*num tu*m pl*uribus i*nl*ato fru|*mento vel ad n*ummar*io*s t*ributus ex agro* et pat*rimonio* meo *opem tuli*.

### Chap. 21 (= col. IV, ll. 26 *ff.*).

Auri coronari pondo triginta et quin|que millia municipiis et colonis Italiae conferentibus ad triumpho*s* | meos quintum consul remisi, et postea, quotienscumque imperator a*ppe*l|latus sum, aurum coronarium non accepi decernentibus municipii*s* || et coloni*s* aequ*e* benigne adque antea decreverant. |

### Chap. 28 (= col. v, ll. 35 *ff.*).

Colonias in Africa Sicilia *M*acedonia utraque Hispania Achai*a* Asia Syria | Gallia Narbonensi Pi*si*dia militum deduxi. Italia autem XXVIII *colo*ni|as, quae vivo me celeberrimae et frequentissimae fuerunt, me*is* *auspicis* | deductas habet. |

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### Suppl., chap. 4.

[Δαπ]άναι δὲ | εἰς θέας καὶ μονομάχους καὶ ἀθλητὰς καὶ ναυμα|χίαν καὶ θηρομαχίαν δωρεαί [τε] ἀποικίαις πόλεσιν | ἐν Ἰταλίᾳ, πόλεσιν ἐν ἐπαρχείαις σεισμῷ κα[ὶ] ἐνπυ||ρισμοῖς πεπονηκυίαις ἢ κατ' ἄνδρα φίλοις καὶ συν|κλητικοῖς, ὧν τὰς τειμήσεις προσεξεπλήρωσεν ἄ|πειρον πλῆθος. |

This document was originally cut on bronze tablets and placed in front of the mausoleum of Augustus in Rome. Kornemann (*Klio*, 15 (1917), 214 *ff.*) thinks that the period of composition runs from 28 B.C. to A.D. 6, but *cf.* Koepp, *Sokrates*, 8 (1920), 289 *ff.* Kornemann's views are elaborated in his *Mausoleum u. Tatenbericht d. Augustus* (1921). The extant copy comes from Ancyra. It was discovered, and part of the Latin portion copied, by Buysbecche in 1555. In 1746 Richard Pococke published a few fragments of the Greek text. More of it was copied by Hamilton in 1832. The copy on which present-day editions are based was made by Humann under the auspices of the Berlin Academy in 1882. The text with a full commentary was published by Mommsen in 1865. A briefer commentary may be found in the editions of Peltier (1886), Fairley (1898), Cagnat, *loc. cit.*, and Diehl (1918). The Latin text has been republished by R. Wirz (1922), and the entire text with commentary and English translation has been edited by E. G. Hardy (1923).

The extracts which we have published from the *Res gestae* are of interest because of the light which they throw on the colonizing policy of the Romans under the early empire, on the provision made for veterans at the time of their discharge from the army, on the contributions offered to successful generals and to the emperor on special occasions by municipalities, and on the assistance given to needy cities in paying the *vectigalia*.

In his statement Augustus does not include the colonies founded by his colleagues in the triumvirate, but mentions only those established by himself. On the foundations in Italy a passage in Hyginus (*de lim.* p. 177, ed. Lachmann) furnishes an important commentary: Divus Augustus, in adsignata orbi terrarum pace, exercitus, qui aut sub Antonio aut sub Lepido militaverant, pariter et suarum legionum milites colonos fecit, alios in Italia, alios in provinciis; quibusdam, deletis hostium civitatibus, novas urbes constituit; quosdam in veteribus oppidis deduxit et colonos nominavit; illas quoque urbes, quae deductae a regibus aut dictatoribus fuerant, quas bellorum civilium interventus exhauserat, dato iterum coloniae nomine, numero civium ampliavit, quasdam et finibus.

In the case of Italian towns which had been hostile to him, he evidently followed somewhat the same policy which the Romans had adopted after the conquest of Sicily. Such places were turned over to the veterans and resettled by them. Other veterans were sent to established communities, which henceforth bore the title of colonies. Later in this record (chap. 28 = col. v, l. 36) Augustus can boast that twenty-eight of his Italian colonies were large and flourishing, and his boast is justified by the list of prosperous colonies in Italy bearing the title of Julia or of Augusta or both titles, such as Beneventum, Brixia, Minturnae, and Pisaurum. One might infer from chap. 16 (col. III, l. 22) that the Italian and provincial settlements were both made in 30 B.C., but in fact the provincial settlements date from 14 B.C. The first sure case of a colony founded outside of Italy is that of Narbo Martius, settled in 118 B.C. (*cf.* p. 7), but this was a colony of civilians, whereas the ultramarine settlements of Augustus were military in character. In the last extract Augustus mentions ten different provinces in which he made these settlements, which in many cases served much the same purpose abroad as the Roman colonies had served in earlier days in pacifying and Romanizing Italy. This was the case especially with the military colonies planted in Galatia. The payments made to provincial municipalities for the lands occupied by soldiers (*cf.* chap. 16 = col. III, ll. 22 *ff.*) would seem to be out of harmony with the legal theory that all the land in the provinces belonged to the Roman state (*cf.* p. 118). Whether this noteworthy precedent set by Augustus was followed by later emperors we do not know.

When Marius adopted the revolutionary policy of admitting the proletariat freely to the army, it was inevitable that some provision should be made for veterans at the end of their term of service. At first lands were assigned to them in colonies (*cf.* p. 7). Augustus, however, follows an alternative plan, not unlike the "adjusted compensation" proposal under discussion in the United States of America, of giving veterans either grants of land or money gratuities or both, as he did in 29 B.C. (*cf.* chap. 15 = col. III, ll. 17 *ff.*). The land-grant policy was given up after 14 B.C. (Cass. Dio, 54. 25), and from 7 B.C. a fixed money payment, probably of 12,000 sesterces, was made to each soldier on the completion of his term of service (Cass. Dio, 55. 23). To make these payments he spent 400,000,000 sesterces before the close of his reign (*cf.* chap. 16 = col. III, ll. 28 *ff.*). As the army became a more important factor in politics in the later years of the empire, great sums of money were given in the form of largesses to soldiers in active service, and this added heavily to the burden of taxes paid by the municipalities (*cf.* p. 219).

The contributions made by the cities of a province to provide golden crowns to be carried in the triumphal procession of its governor are well enough known under the republic. Augustus checked the development of this practice in Italy (chap. 21 = col. IV, ll. 26 *ff.*).

As Mommsen has observed, chap. 18 (col. III, ll. 40 *ff.*) is probably to be interpreted in the light of Cassius Dio's remark (54. 30) that: *ἐπειδή τε ἡ Ἀσία τὸ ἔθνος ἐπικουρίας τινὸς διὰ σεισμοὺς μάλιστα ἐδεῖτο, τόν τε φόρον αὐτῆς τὸν ἔτειον ἐκ τῶν ἑαυτοῦ χρημάτων τῷ κοινῷ ἐσήνεγκε.* Specifically Augustus doubtless has in mind the remission of the *vectigalia* in the case of cities which had suffered from earthquakes or experienced some other serious loss. This interpretation would harmonize with von Premerstein's emendation (*Phil. Wochenschr.* 1922, 135 *ff.*) of col. VI, l. 41 to read *donata pecunia . . . colonis, municipiis, oppidis terrae motu incendioque consumptis.* The results of these generous acts of Augustus and of some of his successors are noted in another connection (*cf.* pp. 147 *ff.*).

## 39. EDICTUM PROCONSULIS ASIAE DE MURO EPHESIO

(ca. 11 p. Chr.)

*I.B.M.* 521; Viereck, *Sermo Graecus*, 7; Ditt. *Syll.*$^3$ 784.

Μᾶρκος Ἑρέννιος Πίκης ἀνθ[ύπατος λέγει]. | Ἀφανοῦς γεγενη-
μένου τοῦ πα[ρατειχίσ]||ματος, ὅπερ δημοσίαι κατασκε[υῆι ὑπὸ
5 τῶν] | Ἐφεσίων μεταξὺ τῆς ἀγορᾶς κα[ὶ τοῦ λιμέ]||νος γεγονέναι
συνεφωνεῖτο, ε[ἴτε ἔν τινι] | τῶν καιρῶν ἢ τοῦ πολέμου πε[ρι-
στάσει, εἴ]|τε διὰ τὴν τούτων ἀμέλειαν, οἱ τ[εταγμένοι | ἦσαν....

From Ephesus. This edict of the proconsul refers to a wall erected by the Ephesians for the convenience of exacting customs dues on goods entering the city by sea. Unfortunately the major portion of the inscription has disappeared, but, since the wall was built by the city, it might be inferred that the *portorium* at Ephesus was a municipal, and not an imperial tax (Cagnat, *Les impôts indirects chez les Romains*, 4 *ff.*). The fact, however, that the wall had fallen into decay, and that the governor issued the edict concerning it, leaves the question of the control of this tax in uncertainty. The *portorium* at Palmyra was a municipal tax, but elsewhere it seems to have been imposed by the imperial authorities (*cf.* no. 89 and pp. 122 *ff.*).

## 40. EPISTULA PROCONSULIS ASIAE AD CHIOS

(5–14 p. Chr.)

*CIG.* 2222; Cagnat, *IGRR.* 4, 943; Ditt. *Syll.*$^3$ 785.

.. | Σταφύλου ὑπαρχόντων πρὸς τοὺς Χείων πρέσβεις, ἀνα-
γεινωσ[κόν]|των ἐπιστολὴν Ἀντιστίου Οὐέτερος τοῦ πρὸ ἐμοῦ
ἀνθυπάτ[ου], | ἀνδρὸς ἐπιφανεστάτου, κατακολουθῶν τῇ καθ-
5 ολικῇ μου [προ]||θέ[σ]ε̣ι τοῦ [τ]η̣[ρ]εῖν τὰ ὑπὸ τῶν πρὸ ἐμοῦ
ἀνθυπάτων γραφέντ[α, φυ]|λάττειν καὶ τὴν ὑπὲρ τούτων φερο-
μένην ἐπιστολὴν Οὐέτε[ρος] | εὔλογον ἡγησάμην· ὕστερον δὲ
ἑκατέρου μέρους ἐξ ἀντικα[τα]|στάσεως περὶ τῶν κατὰ μέρος
ζητημάτων ἐν(τ)υχόντος διή[κου]|σα καὶ κατὰ τὴν ἐμὴν συνή-
10 θειαν παρ' ἑκατέρου μέρους ἐπιμε[λέσ]||τερα γεγραμμένα ἤτησα
ὑπομνήματα· [ἃ λ]αβὼν καὶ κατὰ τὸ ἐπι[βάλ]|λον ἐπιστήσας
εὗρον τοῖς μὲν χρόνο(ι)ς ἀρχαιοτάτου δόγμα[τος] | συνκλήτου

ἀντισ[φρ]άγισμα, γεγονότος Λουκίῳ Σ̣ύλλᾳ τὸ δε[ύτε]|ρον ὑπάτωι, ἐν ᾧ μαρτυ[ρηθ]εῖσι τοῖς Χειίοις, ὅσα ὑπὲρ Ῥωμαίων δι[έθη]|κάν τε Μιθριδάτην ἀνδραγαθοῦντες καὶ ὑπ' αὐτοῦ ἔπαθον ἡ σύν[κλη]||τος εἰδικῶς ἐβεβαίωσεν ὅπως νόμοις τε καὶ ἔθεσιν καὶ δικαίοις [χρῶν]|ται, ἃ ἔσχον ὅτε τῇ Ῥωμαίων (φι)λίᾳ προσῆλθον, ἵνα τε ὑπὸ μηθ' ᾧτινι[οῦν] | τύπῳ ὦσιν ἀρχόντων ἢ ἀνταρχόντων, οἵ τε παρ' αὐτοῖς ὄντες Ῥω[μαῖ]|οι τοῖς Χείων ὑπακούωσιν νόμοις· Αὐτοκράτορος δὲ θεοῦ υἱοῦ Σ[ε]||βαστοῦ τὸ ὄγδοον ὑπάτου ἐπιστολὴ(ν) πρὸς Χ̣είους γράφοντ[ος || . .]ις .εν τὴν πόλιν ἐπ̣ύθ[ετο . .]

From Chios. This letter confirms the Chians in their privileges granted them by Sulla: the right of using their own laws, customs, and courts. Resident Romans were subjected to the jurisdiction of the Chian court. The latter concession is unusual, as Romans were usually tried by the governor under the principles of Roman law. Apparently some of the proconsuls had not observed the provisions of the decree of the senate passed under Sulla's dictatorship, and the emperor Augustus and the present proconsul had been memorialized by the Chians who jealously guarded their privileges. This letter, therefore, furnishes evidence of the encroachment of the governors on the privileges which autonomous states enjoyed. It is true that the action of Antistius Vetus is apparently reversed, but it is evident that the governor is not instructed as to the varying status of the cities under his jurisdiction. His administration tends, accordingly, to be uniform in policy towards all the municipalities, until some of them choose to protest. In such cases they are required to furnish adequate proof for their claim to special treatment (*cf.* Pliny, *Epp. ad Trai.* 47, 48, 92, 93). It is for this reason that cities, cherishing their ancient privileges, send embassies to the emperor on his inauguration asking for confirmation of their charters (*cf.* nos. 75, 130). For the autonomy of Chios see Livy, 38. 39; Appian, *Mithr.* 25. 46; Pliny, *N.H.* 5. 136; Chapot, *La prov. rom. proc. d'Asie*, 114, 125.

## 41. TITULUS HONORARIUS

(ca. 14 p. Chr.)

*CIL.* III, 1741; Dessau, 938.

P. Cornelio | Dolabellae cos. | VII viro epuloni, | sodali Titiensi, || leg. pro pr. divi Augusti | et Ti. Caesaris Augusti | civitates superioris | provinciae Hillyrici.

Found at Ragusa in Dalmatia, on the probable site of Epidaurus. This is the only extant inscription concerning a *concilium* in Dalmatia. Dolabella was consul in A.D. 10 and *legatus* from A.D. 14 on (*cf.* Vell. 2. 125).

## 42. TITULUS SEPULCHRALIS

(p. 14 p. Chr.)

*CIL.* III, 5232; Dessau, 1977.

C. Iulius Vepo donatus | civitate Romana viritim | et inmunitate ab divo Aug., | vivos fecit sibi et || Boniatae Antoni fil. coniugi | et suis.

Found at Celeia in Noricum. On the grant of Roman citizenship to individuals, *cf.* no. 13. For similar cases under the empire, *cf.* Dessau, 1978–1980.

## 43. DECRETUM CENTUMVIRORUM

(26 p. Chr.)

*CIL.* XI, 3805; Dessau, 6579.

Centumviri municipii Augusti Veientis | Romae in aedem Veneris Genetricis cum convenis|sent, placuit universis, dum decretum conscriberetur, | interim ex auctoritate omnium permitti || C. Iulio divi Augusti l. Geloti, qui omni tempore | municip. Veios non solum consilio et gratia adiuverit | sed etiam inpensis suis et per filium suum celebrari | voluerit, honorem ei iustissimum decerni, ut | Augustalium numero habeatur aeque ac si eo || honore usus sit, liceatque ei omnibus spectaculis | municipio nostro bisellio proprio inter Augus|tales considere cenisque omnibus publicis | inter centumviros interesse, itemque placere | ne quod ab eo liberisque eius vectigal municipii || Augusti Veientis exigeretur. |

Adfuerunt | C. Scaevius Curiatius, | L. Perperna Priscus IIvir., | M. Flavius Rufus q., || T. Vettius Rufus q., | M. Tarquitius Saturnin., | L. Maecilius Scrupus, | L. Favonius Lucanus, | Cn. Octavius Sabinus, || T. Sempronius Gracchus, | P. Acuvius P. f. Tro., | C. Veianius Maximus, | T. Tarquitius Rufus, | C. Iulius Merula. || Actum | Gaetulico et Calvisio Sabino cos.

Found at Veii. Only one other epigraphical case of the use of the title *centumviri* for the members of a municipal senate is known, viz. at Cures (*CIL.* IX, p. 472). For the usual titles, *cf.* p. 56. For municipal decrees of the second and third centuries after Christ, *cf. CIL.* V, 532 and no. 146.

### 44. TABULA PATRONATUS

(27 p. Chr.)

*CIL.* V, 4919; Dessau, 6100.

M. Crasso Frugi, L. Calpurnio | Pisone cos. | III non. Febr. | civitas Themetra ex Africa hospitium || fecit cum C. Silio C. f. Fab. Aviola *eu*m | liberos posterosque eius sibi liberis | posterisque suis patronum cooptave|runt. C. Silius C. f. Fab. Aviola civitatem Theme|trensem liberos posterosque eorum || sibi liberis posterisque suis in fidem | clientelamque suam recepit. | Egerunt Banno Himilis f., sufes; Azdrubal Baisillecis f., | Iddibal Bos*t*haris f., leg.

A bronze tablet found near Brixia, apparently kept in the villa of Silius Aviola. Other extant tablets record the election of Aviola in two other cities; *cf.* Dessau, 6099, 6099a. On the other hand a single city might have several *patroni*; *cf.* no. 136. On the election of priests in the colonia Genitivae Iuliae, *cf.* no. 26. Azdrubal and Iddibal are deputies to announce his election to Aviola; *cf.* no. 135 and *CIL.* IX, 3429.

### 45. FASTI MAGISTRATUUM MUNICIPALIUM

(p. 33 p. Chr.)

*CIL.* X, 1233; Dessau, 6124.

. . . . . . . . .

suf. A. Plautius, L. Nonius.
T. Salvius Parianus, A. Terentius IIvir.;
Sex. Aponius Proculus, Q. Nolcennius aed.

L. Cassius Longinus, M. Vinicius cos., *a. p. Chr.* 30
suf. C. Cassius Longinus, L. Naevius Surdinus.
M. Sentius Rufus, Q. Vibiedius Sedatus IIvir.;
P. Subidius Pollio, Sex. Parianus Serenus aed.
Ti. Caesar Aug. V cos. *a. p. Chr.* 31
suf. VII id. Mai. Faustus Cornelius Sulla, Sex. Teidius Catull. cos.
suf. k. Iul. L. Fulcinius Trio cos.
T. Oppius Proculus, M. Staius Flaccus IIvir. iter. q.;
M. Atinius Florens, A. Cluvius Celer aed.
suf. k. Oct. P. Memmius Regulus cos.
Cn. Domitius Ahenobarbus cos. *a. p. Chr.* 32
suf. k. Iul. A. Vitellius cos.
M. Valerius Postumus, Q. Luceius Clemens IIvir.;
C. Sentius Severus, L. Ippellius Atticus aed.
Ser. Sulpicius Galba, L. Sulla Felix cos. *a. p. Chr.* 33

. . . . . . . . .

This document contains the names of the municipal magistrates at Nola from A.D. 29 to 33 inclusive. The inscription was probably cut subsequent to A.D. 33, because in that year Galba still retained the praenomen Lucius, which later he changed to Servius; *cf. Prosop.* 3, p. 284, no. 723. The appearance of the names of the magistrates of A.D. 31 after that of the *consul suffectus* named July 1, and before that of the *suffectus* named Oct. 1, probably points to July 1 as the date of election. This conforms to the practice in the col. Gen. Iul.; *cf.* no. 26, l. 98. Not infrequently in the inscriptions the names of the duovirs precede those of the consuls; *cf.*, *e.g.*, *CIL.* X, 1781. For a republican list of local magistrates, *cf. CIL.* IX, 422 = Dessau, 6123.

## 46. LITES INTER CIERENSES ET METROPOLITANOS

(11–35 p. Chr.)

*IG.* IX, 2, 261; de Ruggiero, *L'arbitrato pubblico*, 31; Tod, XLI.

......διαφέ]ρωνται πρὸς ἀ[λλή]λας οὐ|[........] ΙΗ αἰτεῖται, ὅπως μεθ' ὅρκου κρυφα[ί|ως.......Μητ]ροπολειτῶν κρινόντων, βραβεύον|[τος......τ]ε παρ' ὑμεῖν ὀφίλοντος, καθ' ἣν καὶ τῆς κρίσ[ε||ως....]ν ἠνέχθησαν μεθ' ὅρκου ψῆφοι

Κιεριεῦσ[ι | διακόσιαι ἐνενήκοντα ὀκτώ, Μητρο]πολείταις τριάκοντα μία, ἄκυροι πέντε.|.... [Γαΐωι Ποππ]αίωι Σαβείνωι πρεσβευτῆι Τιβερίου Καίσαρ[ος | ὁ δεῖνα τοῦ δεῖνος, γραμματε]ὺς τῶν συνέδρων πλεῖστα χαίρειν. Ἔγρα|[ψας ἡμῖν τὴν Κιεριέων καὶ Μητ]ροπολειτῶν ὑπόθεσιν ἣν εἶχον περὶ ὅρων, ὅ||[τι αὐτὴν ἠξίωσας τοὺς συνέδρου]ς κρῖναι οὓς καὶ ἐδήλους μοι κατ' ὄψιν ἐν Αἰδε|[ψῶι· ἐμὲ δ' εὖ ἴσθι εὐθὺς οἴκαδε ἀ]ναγαγόντα προθεῖναι τὴν κρίσιν ἐν τῶι ἐνε|[στηκότι Θεσσαλῶν τῶν ἐν Λα]ρίσηι συνεδρίωι τῶι ἐν τῶι Θύωι μηνί· συνελθόντω[ν | δὲ καὶ ἀμφοτέρων ἐπὶ τὴ]ν κρίσιν καὶ λόγων ὑπ' αὐτῶν γενομένων, ἐνηνέ|[χθαι τὰς ψήφους κρυφαίως μεθ'] ὅρκου Κιεριεῦσιν μὲν διακοσίας ἐνενήκον[τα || ὀκτώ, Μητροπολείταις δὲ τριάκοντ]α μίαν, ἀκύρους πέντε. Ταῦτα ἐπιτήδειον ἡγη|[σάμεθα γράψαι. Ἔρρωσο. Γαΐωι Ποπ]παίωι Σαβείνωι πρεσβευτῆι Τιβερίου Καίσαρ[ος | ὁ δεῖνα τοῦ δεῖνος, στρατη]γὸς Θεσσαλῶν χαίρειν. Ἔγραψας κἀμοὶ καὶ το[ῖς | συνέδροις τὴν Κιεριέων τε καὶ Μ]ητροπολιτῶν ὑπόθεσιν, ἣν εἶχον περὶ ὅρων, ὅ|[τι τὸ συνέδριον τὴν περὶ τούτων] διάγνωσιν ἀνέπεμψεν. Γείνωσκε οὖν εἰρημ[έ||νους τοὺς συνέδρους τοὺς ἐν τῶι Θύ]ωι μηνὶ καὶ ἐνηνεγμένους μεθ' ὅρκου κρυφαί|[ως τὰς ψήφους Κιεριεῦσιν] μὲν διακοσίας ἐνενήκοντα ὀκτώ, Μητρ[ο|πολείταις δὲ τριάκοντα μίαν, ἀκύρους πέ]ντε· ταῦτα οὖν ἐπιτήδειον ἡγησ[ά|μεθα γράψαι, ὅπως.....]ον τὸ βέβαιον ἡ κρίσις ὑπό σου λάβηι ἐπι|....

From Cierium. Gaius Poppaeus Sabinus was governor of Moesia from A.D. 11–35. In A.D. 15 the provinces of Achaea and Macedonia were added to his jurisdiction, being transferred from the senate to the emperor (Tac. *Ann.* 1. 80; 6. 39). In this document we have an example of administrative arbitration (*cf.* pp. 158 *ff.*). The dispute between the two cities was referred by the governor to the *κοινόν* of Thessaly for decision. We learn that there were at least 334 members in this assembly, each casting a single vote. It is not known whether the two cities Cierium and Metropolis were permitted to vote in a case which affected them, but if not, we may assume that a larger number of votes could be cast at a full session of all the members. It is evident that some of the cities in Thessaly sent more than one delegate to the provincial assembly, as there could not be three hundred cities in this *κοινόν*. *Cf.* pp. 166 *ff.*

## 47. IURIS IURANDI ARITIENSIUM IN PRINCIPEM FORMULA

(37 p. Chr.)

*CIL.* II, 172; Dessau, 190; Bruns, 101.

C. Ummidio Durmio Quadrato, | leg(ato) C. Caesaris Germanici imp(eratoris) | pro pr(aetore). |

Ius iurandum Aritiensium. ||

Ex mei animi sententia, ut ego iis inimicus | ero, quos C. Caesari Germanico inimicos esse | cognovero, et si quis periculum ei salutiq(ue) eius | in*fert* in*fere*tque armis bello internicivo | terra mariq(ue) persequi non desinam, quoad || poenas ei persolverit: neq(ue) me *neque* liberos meos | eius salute cariores habebo, eosq(ue), qui in | eum hostili animo fuerint, mihi hostes esse | ducam: si sciens fallo fefellerove, tum me | liberosq(ue) meos Iuppiter optimus maximus ac || divus Augustus ceteriq(ue) omnes di immortales | expertem patria incolumitate fortunisque | omnibus faxint.

*A.d.* V idus Mai*as* in | Aritiense oppido veteri Cn. Acerronio | Proculo, C. Petronio Pontio Nigrino cos., || mag(istris) | Vegeto Tallici, . . . ibio . . . arioni.

Bronze tablet found at Aritium in Lusitania. It contains an oath taken by the residents of communities throughout the Roman world on receiving news of the accession of Gaius. A similar oath was taken by civilians when Tiberius became *princeps* (Tac. *Ann.* I. 7). Its general form was traditional; *cf.* Livy, 22. 53. The oath of allegiance which the people of Assos took to Gaius (no. 48) was preceded by a decree of the local senate and confirmed by the local Roman *conventus*. Among the *legati* sent to Rome were four Greeks and one Roman. For an oath of allegiance to Augustus of 3 B.C., *cf.* no. 37.

## 48. DECRETUM ET IUSIURANDUM ASSIORUM

(37 p. Chr.)

Bruns, 102; Cagnat, *IGRR.* 4, 251; Ditt. *Syll.*³ 797.

Ἐπὶ ὑπάτων Γναίου Ἀκερρωνίου | Πρόκλου καὶ Γαΐου Ποντίου Πετρω|νίου Νιγρίνου. |

Ψήφισμα Ἀσσίων γνώμηι τοῦ δήμου. ||

Ἐπεὶ ἡ κατ' εὐχὴν πᾶσιν ἀνθρώποις ἐλπισθεῖσα Γαΐου | Καί-

*σαρος Γερμανικοῦ Σεβαστοῦ ἡγεμονία κατήνγελται, | οὐδὲν δὲ μέτρον χαρᾶς εὕρηκ[ε]ν ὁ κόσμος, πᾶσα δὲ πόλις | καὶ πᾶν ἔθνος ἐπὶ τὴν τοῦ θεοῦ ὄψιν ἔσ[π]ευκεν, ὡς ἂν τοῦ | ἡδίστου ἀνθρώποις αἰῶνο[ς] νῦν ἐνεστῶτος. || ἔδοξεν τῇ βουλῇ καὶ τοῖς πραγματευομένοις παρ' ἡμῖν | Ῥωμαίοις καὶ τῶι δήμωι τῶι Ἀσσίων κατασταθῆναι πρεσ|βείαν ἐκ τῶν πρώτων καὶ ἀρίστων Ῥωμαίων τε καὶ Ἑλλή|νων τὴν ἐντευξομένην καὶ συνησθησομένην αὐτῶι, | δεηθησομένην τε ἔχειν διὰ μνήμης καὶ κηδεμονίας || τὴν πόλιν, καθὼς καὶ αὐτὸς μετὰ τοῦ πατρὸς Γερμανικοῦ | ἐπιβὰς πρώτως τῆι ἐπαρχείαι τῆς ἡμετέρας πόλεως | ὑπέσχετο. |*

*Ὅρκος Ἀσσίων. |*

*Ὄμνυμεν Δία Σωτῆρα καὶ θεὸν Καίσαρα Σεβαστὸν καὶ τὴν || πάτριον ἁγνὴν Παρθένον, εὐνοήσειν Γαΐωι Καίσαρι Σεβασ|τῶι καὶ τῶι σύμπαντι οἴκωι αὐτοῦ, καὶ φίλους τε κρινεῖν, | οὓς ἂν αὐτὸς προαιρῆται, καὶ ἐχθρούς, οὓς ἂν αὐτὸς προβά|ληται. εὐορκοῦσιν μὲν ἡμῖν εὖ εἴη, ἐφιορκοῦσιν δὲ τὰ ἐναν|τία. ||*

*Πρεσβευταὶ ἐπηνγείλαντο ἐκ τῶν ἰδίων· | Γάϊος Οὐάριος Γαΐου υἱὸς Οὐολτινία Κάστος | Ἑρμοφάνης Ζωΐλου, | Κτῆτος Πισιστράτου, | Αἰσχρίων Καλλιφάνους, || Ἀρτεμίδωρος Φιλομούσου, | οἵτινες καὶ ὑπὲρ τῆς Γαΐου Καίσαρος Σεβαστοῦ Γερμανικοῦ | σωτηρίας εὐξάμενοι Διὶ Καπιτωλίωι ἔθυσαν τῶι τῆς πόλε|ως ὀνόματι.*

A bronze tablet found at Assos. It contains the oath taken by the city of Assos on the accession of Gaius. For similar oaths of loyalty, *cf.* nos. 37, 47. The excessive flattery in which the Greek cities indulged, when they sent their embassies to Rome, may be clearly seen in the tone of this decree.

## 49. EDICTUM CLAUDI DE CIVITATE ANAUNORUM

(46 p. Chr.)

*CIL.* v, 5050; Dessau, 206; Bruns, 79; Girard, p. 188; Riccobono, p. 318; de Ruggiero, *L'arbitrato pubblico*, 39.

M. Iunio Silano, Q. Sulpicio Camerino cos. | idibus Martis, Bais in praetorio, edictum | Ti. Claudi Caesaris Augusti Germanici propositum fuit id | quod infra scriptum est. ||

Ti. Claudius Caesar Augustus Germanicus pont. | maxim., trib. potest. VI, imp. XI, p. p., cos. designatus IIII, dicit: |

Cum ex veteribus controversis pe*nd*entibus aliquamdiu etiam | temporibus Ti. Caesaris patrui mei, ad quas ordinandas | Pinarium Apollinarem miserat,—quae tantum modo || inter Comenses essent (quantum memoria refero) et | Bergaleos,—isque primum apsentia pertinaci patrui mei, | deinde etiam Gai principatu, quod ab eo non exigebatur | referre, non stulte quidem, neglexserit; et posteac | detulerit Camurius Statutus ad me, agros plerosque || et saltus mei iuris esse: in rem praesentem misi | Plantam Iulium amicum et comitem meum, qui | cum, adhibitis procuratoribus meis qu*i*que in alia | regione quique in vicinia erant, summa cura inqui|sierit et cognoverit, cetera quidem, ut mihi demons||trata commentario facto ab ipso sunt, statuat pronun|tietque ipsi permitto. |

Quod ad condicionem Anaunorum et Tulliassium et Sinduno|rum pertinet, quorum partem delator adtributam Triden|tinis, partem ne adtributam quidem arguisse dicitur, || tametsi animadverto non nimium firmam id genus homi|num habere civitatis Romanae originem: tamen, cum longa | usurpatione in possessionem eius fuisse dicatur et ita permix|tum cum Tridentinis, ut diduci ab is sine gravi splendi*di* municipi | iniuria non possit, patior eos in eo iure, in quo esse se existima||verunt, permanere beneficio meo, eo quidem libentius, quod | pler*i*que ex eo genere hominum etiam militare in praetorio | meo dicuntur, quidam vero ordines quoque duxisse, | nonnulli *a*llecti in decurias Romae res iudicare. |

Quod benificium is ita tribuo, ut quaecunque tanquam || cives Romani gesserunt egeruntque, aut inter se aut cum | Tridentinis alisve, rat*a* esse iube*am*, nominaque ea, | quae habuerunt antea tanquam cives Romani, ita habere is permittam.

Bronze tablet found in 1869 in the Val di Non, probably on the site of the principal village of the Anauni, near Trent (Tridentum), now in Trent. The date is fixed by the opening paragraphs. This document takes the characteristic form of an edict (*cf.* pp. 236*f.*, and Haberleitner, *Philol.* 68 (1909), 286 *ff.*). The introductory clauses close with the conventional phrase *imperator* . . . *dicit*, and the verbs which follow are in the first person singular. Claudius used the form of the edict very freely for his constitutions (*cf.* Suet. *Claud.* 16, *uno die viginti edicta proposuit*).

Reference is made in the edict to two separate questions. One

question has arisen out of a dispute between Comum and the Bergalei. The other concerns the relations between Tridentum on the one hand and the Anauni (modern Non), the Tulliasses (Dolas), and the Sinduni (Saône) on the other. The body of the edict (ll. 22 *ff.*) deals only with certain aspects of the second question. Why is the first incident mentioned at all? Its inclusion may be due to the well-known interest of Claudius in historical and antiquarian matters, but mention of it here is justified in part, at least, by the historical connection between the two incidents, and by the fact that several of the legal questions arising were common to the two cases. In both instances the relation which certain Alpine tribes bore to a neighboring municipality was the fundamental point at issue. The historical connection arose from the circumstance that the facts in the case of Comum and the Bergalei had been investigated by Pinarius Apollinaris, a commissioner sent out by Tiberius, probably at the instance of Comum (*cf.* Hardy, *Three Spanish Charters*, 127, n. 9) and that the report of Apollinaris had remained in abeyance until Claudius took up the matter again and appointed a new representative in the person of Camurius Statutus, whose investigation brought to light certain puzzling legal and political questions in the relation which three other Alpine tribes bore to the *municipium* of Tridentum. One matter involved in the case of the Anauni and the two other tribes concerns a claim to Roman citizenship. That can be decided only by the emperor, and to that question his edict (ll. 22 *ff.*) is devoted. Julius Planta, the commissioner of Claudius, is authorized to settle the other points, probably in the case of the Bergalei, as well as in that of the Anauni. It was the practice of the Roman people to put hamlets and people in the tribal state under the charge of the local magistrates of a neighboring *civitas* (*cf.* pp. 10 *ff.*). This practice had been followed in the Alpine region especially (*cf.* Hardy, *op. cit.* 130, n. 19; Marquardt, *St. Verw.* 1, 7, 14), and the Anauni seem to have taken it for granted that as *attributi* of Tridentum, they were citizens of Tridentum, and, consequently, Roman citizens (*cf.* Mommsen, *Ges. Schr.* 4, 300), or that they were actually in the *territorium* of Tridentum, and for that reason were Roman citizens (*cf.* Hardy, *op. cit.* 124). In point of fact it transpires that none of the Anauni are in the "territory" of Tridentum, that some of them are *attributi* and others have no connection with the municipality (ll. 23, 24), and that even those who are *attributi* do not have the full right of Tridentine citizenship (Mommsen, *op. cit.* 4. 304 *f.*), and therefore are not Roman citizens. However, in view of the fact that they have honestly exercised these rights for a long time, and that the people of Tridentum would be seriously inconvenienced by having their marriages with the Anauni declared illegal (*cf.* Mommsen, *op. cit.* 4. 307), the emperor allows them to continue in the status which they believed was theirs.

Tridentum is called a *municipium* in the edict (l. 28). With other Transpadane towns it received Roman citizenship from Caesar. Under the empire, but later than the time of Claudius, it was made a colony (*cf. CIL.* v, 5036).

In the question which arose between Genua and the Viturii (*cf.* no. 10) only the two communities mentioned were involved. The ownership of certain land was vested either in the one community or the other. The case was a simple one of arbitration by the Roman senate through its commissioners between two communities. But here there are certain districts which, as Claudius says (l. 15), are *mei iuris.* Such domains are subject to an impost, to be paid to the procurator (*cf.* Hirschfeld, 129 *f.*), and the state or the emperor is a party to the action. There are then three possibilities: (1) the Anauni may own the land in question; (2) they may be occupying land in the *territorium* of Tridentum. In this case they must pay tribute to Tridentum, or (3) their land may belong to Rome, in which case Rome has a claim on a part of the produce from it. Having settled the central question of citizenship, Claudius delegates the decision of the other points involved to his commissioner, Julius Planta, who is instructed to call into his *consilium* (*cf.* de Ruggiero, *L'arbitrato pubblico*, 350) the procurator of the neighboring province of Raetia and the procurators of the imperial domains near at hand (ll. 16–18). For *commentario* (l. 20), *cf.* Hirschfeld, 325, n. 1. The privilege which Claudius grants to the Anauni of retaining their Roman names (ll. 36, 37) would be implied in the gift of Roman citizenship. Perhaps the special mention of this matter reflects the fastidiousness of Claudius

on this point (*cf.* Suet. *Claud.* 25, *peregrinae conditionis homines vetuit usurpare Romana nomina*).

## 50. ORATIO CLAUDI DE IURE HONORUM GALLIS DANDO

(48 p. Chr.)

*CIL.* xiii, 1668; Dessau, 212; Bruns, 52; Riccobono, p. 228; Nipperdey's *Tacitus*[10], 2, 317–322.

. . . | mae rerum no*strarum* sit u. . . . . . . . . .| Col. I

Equidem primam omnium illam cogitationem hominum quam | maxime primam occursuram mihi provideo, deprecor, ne | quasi novam istam rem introduci exhorrescatis, sed illa || potius cogitetis, quam multa in hac civitate novata sint, et | quidem statim ab origine urbis nostrae in quo*t* formas | statusque res p(ublica) nostra diducta sit. |

Quondam reges hanc tenuere urbem, nec tamen domesticis succes|soribus eam tradere contigit. Supervenere alieni et quidam exter||ni, ut Numa Romulo successerit ex Sabinis veniens, vicinus qui|dem, sed tunc externus; ut Anco Marcio Priscus Tarquinius. *Is* | propter temeratum sanguinem, quod patre Demaratho C*o*|rinthio natus erat et Tarquiniensi matre generosa sed inopi, | ut quae tali marito necesse habuerit succumbere, cum domi re||pelleretur a gerendis honoribus, postquam Romam migravit, | regnum adeptus est. Huic quoque et filio nepotive eius (nam et | hoc inter auctores discrepat) insertus Servius Tullius, si nostros | sequimur, captiva natus Ocresia, si Tuscos, Caeli quondam Vi|vennae sodalis fidelissimus omnisque eius casus comes, post||quam varia fortuna exactus cum omnibus reliquis Caeliani | exercitus Etruria excessit, montem Caelium occupavit et a duce suo | Caelio ita appellita*vit*, mutatoque nomine (nam Tusce Mastarna | ei nomen erat) ita appellatus est, ut dixi, et regnum summa cum rei | p(ublicae) utilitate optinuit. Deinde postquam Tarquini Superbi mores in||visi civitati nostrae esse coeperunt, qua ipsius qua filiorum ei*us*, | nempe pertaesum est mentes regni et ad consules, annuos magis|tratus, administratio rei p(ublicae) translata est. |

Quid nunc commemorem dictaturae hoc ipso consulari impe|rium valentius repertum apud maiores nostros, quo in a*s*||perioribus bellis aut in civili motu difficiliore uterentur? | aut in auxilium plebis creatos tribunos plebei? quid a consu|libus ad decemviros translatum imperium, solutoque postea | decemvirali regno ad consules rusus reditum? quid in p*l*u|ris distributum consulare imperium tribunosque mil*itum* || consulari imperio appellatos, qui seni et saepe octoni crearen|tur? quid communicatos postremo cum plebe honores, non imperi | solum sed sacerdotiorum quoque? Iam si narrem bella, a quibus | coeperint maiores nostri, et quo processerimus, vereor ne nimio | insolentior esse videar et quaesisse iactationem gloriae pro||lati imperi ultra oceanum. Sed illoc potius revertar. Civita*tem* | . . .

(*nonnulla interciderunt*)

Col. II . . .*po*test. Sane | novo m*ore* et divus Aug*ustus* *a*vonc*ulus* *m*eus et patruus Ti. | Caesar omnem florem ubique coloniarum ac municipiorum, bo|norum scilicet virorum et locupletium, in hac curia esse voluit. || Quid ergo? non Italicus senator provinciali potior est? Iam | vobis, cum hanc partem censurae meae adprobare coepero, quid | de ea re sentiam, rebus ostendam. Sed ne provinciales quidem, | si modo ornare curiam poterint, reiciendos puto. |

Ornatissima ecce colonia valentissimaque Viennensium, quam || longo iam tempore senatores huic curiae confert! Ex qua colo|nia inter paucos equestris ordinis ornamentum L. Vestinum fa|miliarissime diligo et hodieque in rebus meis detineo, cuius libe|ri fruantur quaeso primo sacerdotiorum gradu, post modo cum | annis promoturi dignitatis suae incrementa; ut dirum nomen la||tronis taceam, et odi illud palaestricum prodigium, quod ante in do|mum consulatum intulit, quam colonia sua solidum civitatis Roma|nae beneficium consecuta est. Idem de fratre eius possum dicere, | miserabili quidem indignissimoque hoc casu, ut vobis utilis | senator esse non possit. || —

Tempus est iam, Ti. Caesar Germanice, detegere te patribus conscriptis, | quo tendat oratio tua; iam enim ad extremos fines Galliae Nar|bonensis venisti. | —

Tot ecce insignes iuvenes, quot intueor, non magis sunt paenitendi | senatores, quam paenitet Persicum, nobilissimum virum, ami||cum meum, inter imagines maiorum suorum Allobrogici no|men legere. Quod si haec ita esse consentitis, quid ultra desi-

dera|tis, quam ut vobis digito demonstrem, solum ipsum ultra fines | provinciae Narbonensis iam vobis senatores mittere, quando | ex Luguduno habere nos nostri ordinis viros non paenitet. || Timide quidem, p(atres) c(onscripti), egressus adsuetos familiaresque vobis pro|vinciarum terminos sum, sed destricte iam Comatae Galliae | causa agenda est, in qua si quis hoc intuetur, quod bello per de|cem annos exercuerunt divom Iulium, idem opponat centum | annorum immobilem fidem obsequiumque multis trepidis re||bus nostris plus quam expertum. Illi patri meo Druso Germaniam | subigenti tutam quiete sua securamque a tergo pacem praes|titerunt, et quidem cum *a* census novo tum opere et inadsue|to Gallis ad bellum advocatus esset; quod opus quam ar|duum sit nobis, nunc cum maxime, quamvis nihil ultra, quam || ut publice notae sint facultates nostrae, exquiratur, nimis | magno experimento cognoscimus.

On a bronze tablet found at Lugudunum, now in the museum at Lyons. It is engraved in two columns. The upper part of the tablet is lost. In the first column, which is not printed here, the emperor seeks to show by many illustrations that changes in political institutions have been frequent in Roman history, and that the Romans of early days were liberal in their treatment of foreigners, even taking some of their rulers from beyond the limits of the city. Lines 20–22 are commonly regarded as an apostrophe addressed by the emperor to himself. Mommsen regards them as *verba . . . senatorum acclamantium et simul oratorem prolixum irridentium* (*E.E.* 7, 394). A résumé of the speech of Claudius is given by Tacitus (*Ann.* 11. 24), and from this summary a few additions may be made to the speech as preserved on the tablet. The purpose of the emperor was to secure to the people of Gallia Comata the right to hold office in Rome and consequently to sit in the Roman senate (col. ii, l. 31). They had been Roman citizens for many years (Tac. *Ann.* 11. 23), but under the Julio-Claudian emperors the grant of Roman citizenship to provincial cities does not seem to have carried with it of necessity the right to hold Roman magistracies (*cf.* Mommsen, *St. R.* 1, 490 and nn.; *ibid.* 3, 876). The only Gallic city outside Gallia Narbonensis having this fuller privilege was Lugudunum (col. ii, l. 29), which had been established as a colony in 43 B.C. It had been also especially favored by Claudius (*cf.*

Kornemann, *R.E.* 4, 529). The policy of admitting to the senate provincials having Roman citizenship seems to have begun with Julius Caesar (*cf.* Willems, *Le sénat de la république rom.* 1, 594 *ff.*) and is mentioned by several Latin writers (*cf.* Suet. *Caes.* 76. 80; *Bell. Afr.* 28). It was continued by the triumvirs (*cf.* Willems, *op. cit.* 1, 613), and followed by Augustus and Tiberius (col. II, ll. 1–2). Eligibility to the Roman senate was probably granted to the people of Vienna in Gallia Narbonensis by Gaius in A.D. 39 or 40 (*cf.* Kornemann, *R.E.* 4, 542) out of regard to his Viennese favorite Valerius Asiaticus, to whom Claudius refers in the words *dirum nomen* (col. II, l. 14). On Valerius Asiaticus, *cf.* Tac. *Ann.* 11. 1–3, *Prosop.* 3, 352. The liberal policy of Claudius and his predecessors which tended to convert the Roman senate from an Italian into an imperial parliament was bitterly opposed in Rome (*cf.* Tac. *Ann.* 11. 23; Seneca, *Apocol.* 3). On the *oratio principis*, *cf.* pp. 234 *ff.*

Tacitus tells us (*Ann.* 11. 23) that the initiative in seeking *ius adipiscendorum in urbe honorum* was sought by the *primores Galliae*, which leads Hirschfeld (*Kleine Schr.* 132) to the interesting suggestion that the project originated in the Gallic *concilium* and that a formal request for the privileges here mentioned was transmitted to the emperor. There is an important article on this inscription by Grupe in *Zeitschr. d. Savigny-Stift., Roman. Abteil.* 42 (1921), 31–41; *cf.* also *Archiv*, 6 (1920), 153 *ff.*

## 51. EDICTUM CLAUDI DE CURSU PUBLICO

(49–50 p. Chr.)

*CIL.* III, *S.* 1, 7251; Dessau, 214.

T*i*. Claudius Caesar Aug. | *Germ*anicus pontif. max., | trib. potest. VIIII, imp. XVI, p.p., | dicit: ||

Cu*m* et colonias et municipia non solum | Ita*lia*e, verum etiam provinciarum, item | civita*ti*um cuiusque provinciae lebare oneribu*s* | veh*iculor*um praebendorum saepe tem*ptaviss*em | *et* c*um* *sati*s multa remedia invenisse m*ihi viderer*, || *p*otu*it ta*men nequitiae hominum *non satis per ea occurri*.......

A marble tablet found at Tegea in Arcadia. The last part of the inscription cannot be made out. *Trib. potest.* VIIII shows that the document falls between Jan. 25, A.D. 49 and Jan. 25, A.D. 50. On the conventional form of an edict, *cf.* pp. 236 *ff.* The purpose of the edict is to relieve municipalities in Italy and in the provinces from the burdens put on them by the imperial post. On the *cursus publicus*, *cf.* Seeck, *R.E.* 4, 1846–1863; Hirschfeld, 190–204. Under the republic no system had been organized for the carriage of either private or official letters, but Augustus stationed runners, and later vehicles, at convenient intervals along the military roads (Suet. *Aug.* 49). These wagons served for the carriage of despatches and government officials. This inscription makes it clear that the cost of this service fell on the towns through which the post passed, that the burden was heavy, and that many attempts had been made to remedy abuses. What measures Claudius proposed, we do not know. Evidently they were not effective. Complaints in Italy led Nerva to relieve towns in the peninsula from the expense (Hirschfeld, 191, n. 2). Of Hadrian we are told (*Hist. Aug. Hadr.* 7. 5), *statum cursum fiscalem instituit, ne magistratus* (sc. *municipales*) *hoc onere gravarentur*. This reform would seem to have consisted in organizing the post under the *fiscus*, but towns were not relieved from meeting the expense of the service (*cf.* however, Seeck, *R.E.* 4, 1848). Hadrian's reform only meant that local magistrates were perhaps freed from the responsibility of providing teams and wagons. Septimius Severus was the first emperor to put the cost of maintaining the post on the *fiscus* (*Hist. Aug. Sev.* 14. 2), but it was soon transferred again to the *civitates* (Seeck, *R.E.* 4, 1849), and was the source of endless complaint through the third and fourth centuries, as we may infer from the Digest and from the Codes of Theodosius and Justinian. The cost included not only the furnishing of drivers, teams, vehicles, and fodder, but the maintenance of suitable *mansiones* at regular intervals to serve as inns for official travelers. One of the noteworthy things in this edict is the fact that the central government, even in this early period, could not always make effective its desire to right the wrongs done to the cities by its own officials. For the *cursus publicus* in the fourth century, *cf.* no. 156.

## 52. DECRETUM RHODIORUM

(51 p. Chr.)

Cagnat, *IGRR.* 4, 1123; *IG.* XII, 1, 2, *et corrigenda*, p. 206.

........ [E]ὐ[χάρ]ης β′, Μνασαῖο[ς ......, | ........]
Πύθωνος, Ἀριστογένης Πάπου, Ἀρ........|..........λο-
χου, Πείσαρχος Τειμασάρχου, Πολύχαρμος [Φίλωνος], ....|
.... τὰ εὐκταιότατα ἐνήνεκται τᾶι πόλει ἀποκρίματα........||
5 [Ἀντί]πατρον καὶ Διονύσιον Ἀρτεμιδώρου [προ]τετείμακ[ε]ν
πάσ[ας τὰς τειμὰς..........,ἀνδριάν|των] ἀναθέσεις, δεδόχθαι
τᾶι βουλᾶι καὶ τῶι δάμωι, κυρωθέντος τοῦδε το[ῦ ψαφίσ]ματος,
[τὰ ὀνόματα ἀναγραφῆναι ὑπὸ τῶν | στρ]αταγῶν ἐπὶ βάσιος
λίθου λαρτίου ἐν τῶι τεμένει τοῦ Ἁλίου ὑπὲρ ...|....ου καὶ
Ἀντιπάτρου Ἀρτεμιδώρου καὶ Διονυσίου Ἀρτεμιδώρου ...|
.......στράτου, Κρατίδαν Φαρνάκευς, Ἀλεξινβροτίδαν Χρυ-
10 σίππου .||.. Δαμαγόραν β′, Μοιραγένη Τειμοδίκου, Δαμόχαριν
Γοργία, .....|........, [Πολ]ύχαρμον Φίλωνος, Εὐκλῆ Ἀγη-
σάρχου, Εὐθρεπ[τ]ίδαν ..........., [ἀποστα|λέντας ποτὶ]
Τιβέριον Κλαύδιον Καίσαρα Γερβανικὸν Αὐτοκράτορα....,
[ἀπο|δοθείσ]ας τᾶι πόλει τᾶς πατρίου πολιτείας καὶ τῶν νόμων
ὑπὸ τῶν .........[Νέ|ρω]νος Καίσαρος καὶ μαρτυρηθέντων
τῶν ἀνδρῶν τὰν ποτὶ τὰν πόλιν εὔν[οιαν]..........

This fragmentary inscription from Rhodes records the honors conferred upon the ambassadors sent to Rome at the time when the youthful Nero pleaded for the return of liberty to the Rhodians (Suet. *Claud.* 25; *Nero*, 7).

## 53. TITULUS HONORARIUS

(p. 54 p. Chr.)

*Compt. rend. de l'acad. d. inscr. et bel. lettr.* 1915, 396; *An. ép.* 1916, no. 42.

M. Val(erio), Bostaris | f(ilio), Gal(eria tribu), Severo, | aedili,
sufeti, IIvir(o), | flamini primo || in municipio suo, | praef(ecto)
5 auxilior(um) adversus Aedemo|nem oppressum bello. | Huic ordo
municipii Volub(ilitanorum), ob me|rita erga rem pub(licam) et
legatio||nem bene gestam, qua ab divo | Claudio civitatem Ro|manam
10 et conubium cum pere|grinis mulieribus immunitatem | annor(um)
15 X incolas, bona civium bel||lo interfectorum quorum here|des non

extabant suis impetra|vit. | Fabia Bira, Izeltae f(ilia), uxor, indulge|ntissimo viro, honore usa, impensam || remisit | et d(e) s(ua) 20
p(ecunia) d(edit) d(e)dic(avit).

Found at Volubilis in Mauretania Tingitana. It is subsequent to A.D. 54 because Claudius is called *divus*. Towards the end of the reign of Caligula the people of Mauretania Tingitana rose in revolt under Aedemon because of the murder of their king by the emperor; *cf.* Pliny, *N.H.* 5. 1. 11. This uprising was suppressed by Severus. It was probably in recognition of this service that Claudius granted to the people of Volubilis the favors recorded here. The town is made a *municipium* with immunity from imperial taxation for ten years (*cf. Mus. Belge*, 28 (1924), 103 *ff.*). The citizens are given the right of intermarriage (*conubium*) with foreign women. Usually the right of *conubium* was granted to *peregrini*, and it is probable that this provision merely recognized marriages already contracted between citizens of Volubilis and women of other towns in order that their children may have the status of Roman citizens. The new municipality is given the property which had belonged to those of its citizens who had perished in the war and had died intestate. Ordinarily the estates of those who died without heirs and without leaving a will became imperial property (*cf.* Cuq, *Journal des savants*, 1917, 481 *ff.*). The interpretation of *incolas* in line 14 is uncertain. Most editors read *incolis* and assume that the benefits granted by Claudius were conferred upon aliens. De Sanctis (*Rivista di filologia*, 53 (1925), 372 *ff.*), however, retains the form as it occurs on the stone, and advances the theory that aliens resident in Volubilis were subject to a tax (*intributio*) which was now to be paid into the municipal treasury. For the *incolae attributi* in a Roman colony he refers to the charter of Urso (no. 26, chap. 103) where Mommsen reads incolaeque attributi*que*. The grant illustrates the Roman policy of encouraging the growth of the cities and of bringing indigenous peoples under Roman influence, as well as the generosity of Claudius in bestowing Roman citizenship. Severus had been sufes, duovir, and first flamen in Volubilis. As Cuq has shown, the introduction of the cult of the emperor, and the consequent appointment of a flamen, follow immediately on the erection of a *municipium* (*op. cit.* 497). Severus was probably sufes in the peregrine city, and became duovir and flamen when Volubilis was made a *municipium.* The title sufes accords with the Punic name of the father and father-in-law of Severus. On the sufes, cf. Gsell, *Histoire ancienne de l'Afrique du Nord,* 2, 193 *ff.* For similar *legationes, cf.* nos. 115, 126, and *An. ép.* 1916, no. 120. This inscription is also discussed in *Comptes rendus,* 1916, 261 *ff.*, 284 *f.*; 1918, 227 *ff.*; 1920, 339 *ff.*; de Sanctis, *Atti della reale accademia delle scienze di Torino,* 53 (1918), 453 *ff.*; 54 (1919), 329 *ff.*; Weiss, *Zeitschr. d. Savigny-Stift., Roman. Abteil.* 1921, 639 *ff.* Other inscriptions from Volubilis testify to the continued favor of the emperors, *e.g. An. ép.* 1916, no. 100.

## 54. EPISTULA IMPERATORIS NERONIS AD RHODIOS

(55 p. Chr.)

Cagnat, *IGRR.* 4, 1124; Ditt. *Syll.*³ 810.

*[Ἐπ' ἱερ]έως* Δ*[ιογέ]νευς, πρυτανίων τῶν σὺν* | Μ*ενεκλεῖ τῷ* Ἀ[*ρ*]*χαγόρα, γραμμα*[*τε*]*ύοντος* | *βουλᾶς* Ν*εικασιμάχου* Δ*ια*[*φ*]*άνου, καθ' ὑ(οθεσίαν δὲ)* Ἀ*ρχεδάμ*[*ου,* | *ἁ*] *ἐπιστολὰ ἁ ἀποσταλεῖσα ὑπὸ* Ν*έρωνος* || Κ*λαυδίου* Κ*αίσαρος* Π*εταγειτνύου κζ'*· | [Ν*έρων*] Κ*λαύδιος, θεοῦ* Κ*λαυδίου υἱός,* Τ*ιβερίου* Κ*αίσ*[*α*]||*ρος* Σ*εβαστοῦ καὶ* Γ*ερμανικοῦ* Κ*αίσαρος ἔγγονος, θε*|*οῦ* Σ*εβαστοῦ ἀπόγονος,* Κ*αῖσαρ* Σ[*εβ*]*αστὸς* Γ*ερμανι*|*κός, ἀρχιερεύς, δημαρχικῆς ἐξουσίας, αὐτοκρά*||*τωρ,* Ῥ*οδίων ἄρχουσι βουλῇ* [*δή*]*μῳ χαίρειν.* |

Ο*ἱ πρέσβεις ὑμῶν, οὓς ἐπὶ τῇ ψευδῶς ἐπι*[*σ*]*τολῇ* | *πρὸς ὑμᾶς κομισθείσῃ τῷ τῶν ὑπάτων ὀνόματι* | *ταραχθέντες πρός με ἐπέμψατε, καὶ τὸ ψήφισμα* [*ἀ*]|*πέδοσαν καὶ περὶ τῶν θυσιῶν ἐδήλωσαν ἃς ἐνετε*[*ί*]||*λασθε αὐτοῖς ὑπὲρ τῆς πανοικίου μου ὑγείας καὶ* | *τῆς ἐν τῇ ἡγεμ*[*ο*]*νίᾳ διαμονῆς ἐπιτελέσαι τῷ κατ' ἐ*|*ξοχὴν παρ' ἡμεῖν τειμωμένῳ θεῷ* Δ*ιὶ* Κ*απετωλίῳ,* | *περί τ' ὧν ἐπεστάλκειτε αὐτοῖς πρὸς τὴν τῆς πόλεως* | *δημοκρατίαν διαφερόντων ἐνεφάνισαν διὰ* Κ[*λαυ*]||*δίου* Τ*ειμοστράτου τοῦ ἀρχιπρεσβευτοῦ, σπου*|*δαίῳ πάθει τοὺς ὑπὲρ ὑμῶν ἐπ' ἐμοῦ ποιησαμένων* | *λόγους, ἀνδρὸς* [*ἀμ*]*οὶ ἐπὶ τῷ κρατ*[*ί*]*στῳ διὰ τ*[*ὴ*]*ν ἀνανέω*|*σιν τῶν πρὸς ἡμᾶς αὐτῷ δικαίων ὑπαρχόντων γνωρί*|*μου καὶ παρ' ὑμεῖν ἐν τοῖς ἐπιφανεστάτοις καταριθμου*[*μέ*]||*νου.* Ἐ*γὼ οὖν ἀπὸ τῆς πρώτης ἡλικίας εὐνοϊκῶς πρὸς τὴ*[*ν πό*]||*λιν ὑμῶν δι*[*α*]*κείμενος . .*

From Rhodes. This letter is included because of the reference to the restoration of liberty to the Rhodians by Claudius when Nero pleaded their case before the senate (Suet. *Nero* 7; Tac. *Ann.* 12. 58). The Rhodians had, through internal dissensions or unwise alliances, suffered many changes in their relations to Rome. Tacitus says that their liberty had often been taken away or restored (*libertas saepe adempta aut firmata*). *Cf.* Chapot, *La prov. rom. proc. d'Asie*, 119 *f.*; no. 51.

## 55. DE PRAEDIIS PUBLICIS GORTYNIORUM

(64 p. Chr.)

*Ἀρχαιολογικὸν Δελτίον*, 2 (1916), 6.

Ex auctoritate | Neronis Cludi (*sic*) | Caesaris Aug. Ger|manici pontif. || maxi., trib. pot. XI, | imp., cos IIII, p.p. et | ex s. c. | L. Turpilius Dexter | proc. pr*aedia p*ublica || Gortunio*rum p*leraqu|e a privatis occupata | *restit*uit termin|avitque.

Found at Gortyn in Crete. The examination of the titles of Gortynian lands was authorized by the emperor in accordance with a decree of the senate. This procedure was probably due to the fact that Gortyn was in a senatorial province. The occupation of public lands by private citizens must have been of frequent occurrence, but this is the only inscription which bears directly upon the practice. The alienation of public lands was strictly forbidden in the charter of Urso (*cf.* no. 26, chap. 82).

## 56. ORATIO IMPERATORIS NERONIS DE GRAECORUM LIBERTATE

(67 p. Chr.)

*IG.* VII, 2713; Ditt. *Syll.*$^3$ 814.

Αὐτοκράτωρ Καῖσαρ λέγει. Τῆς εἴς με εὐνοί|ας τε καὶ εὐσεβείας ἀμείψασθαι θέλων τὴν εὐγε|νεστάτην Ἑλλάδα κελεύω πλείστους καθ' ὅ[σ]ο[ν] | ἐνδέχεται ἐκ ταύτης τῆς ἐπαρχείας παρῖναι || ἰς Κόρινθον τῇ πρὸ τεσσάρων καλανδῶν Δε|κεμβρίων. |

Συνελθόντων τῶν ὄχλων ἐν ἐκκλησίᾳ προσεφώ|νησεν τὰ ὑπογεγραμμένα. |

Ἀπροσδόκητον ὑμεῖν, ἄνδρες Ἕλληνες, δωρεάν, || εἰ καὶ μηδὲν παρὰ τῆς ἐμῆς μεγαλοφροσύνης | ἀνέλπιστον χαρίζομαι τοσαύτην ὅσην οὐκ ἐχωρή|σατε αἰτεῖσθαι· πάντες οἱ τὴν Ἀχαΐαν καὶ τὴν ἕως | νῦν Πελοπόννησον κατοικοῦντες Ἕλληνες | λάβετε ἐλευθερίαν, ἀνισφορίαν, ἣν οὐδ' ἐν τοῖς εὐτυ||χεστάτοις ὑμῶν πάντες χρόνοις ἔσχετε· | ἢ γὰρ ἀλλοτρίοις ἢ ἀλλήλοις ἐδουλεύσατε. | Εἴθε μὲν οὖν ἀκμαζούσης τῆς Ἑλλάδος παρειχό|μην ταύτην τὴν δωρεάν, ἵνα μου πλείονες ἀπολ|αύωσι τῆς χάριτος· δι' ὃ καὶ μέμφομαι τὸν αἰῶνα || προδαπανήσαντά μου τὸ μέγεθος τῆς χάριτος· | καὶ νῦν δὲ οὐ δι' ἔλεον ὑμᾶς, ἀλλὰ δι' εὔνοιαν εὐερ|γετῶ, ἀμείβομαι δὲ τοὺς θεοὺς ὑμῶν, ὧν καὶ διὰ | γῆς καὶ διὰ θαλάττης αἰεί μου προνοουμένων πε|πείραμαι, ὅτι μοι τηλικαῦτα εὐεργετεῖν παρέσχον· || πόλεις μὲν γὰρ καὶ ἄλλοι ἠλευθέρωσαν ἡγεμόνες, | [Νέρων δὲ μόνος κα]ὶ ἐπαρχείαν.

From Acraephia (modern Karditza) in Greece. This document includes the edict of Caesar summoning the Greeks to Corinth, the proclamation which he issued there regarding the freedom of Greece, and a decree passed by the Acraephians (omitted here), dedicating an altar and offering sacrifices for the emperor. The senate was given the province of Sardinia to compensate for the loss of revenue derived from Greece, which was, by this proclamation, relieved from the payment of tribute. The prodigal gift of Nero was withdrawn by Vespasian (Pausanias, 7. 17. 2; Suet. *Vesp.* 8). The gratitude of the Acraephians was short-lived, for they carefully erased Nero's name on the inscription after his death.

## 57. DECRETUM PETRONI ET PUPI DE FINIBUS SAGALASSENSIUM

(54–68 p. Chr.)

de Ruggiero, *L'arbitrato pubblico*, 40; Cagnat, *IGRR.* 3, 335; Ditt. *Or. Gr.* 538.

Ἐξ ἐπιστολῆ[ς] θε|οῦ Σεβασ[τ]οῦ | Γερμανι[κοῦ Κα]ίσαρος | Κοΐντος Πετρώνιο||ς Οὐμβ(ερ) πρεσβευτὴς | καὶ ἀντιστράτηγος Νέρω|[ν]ος Κλαυδίου Καίσαρος | Σεβαστοῦ Γερμανικοῦ, | [καὶ] Λο[ύκι]ος Πούπιος Πραί||ση[ς ἐπί]τροπος Ν[έρ]ωνος | Κλα[υδ]ίου [Κ]αίσ[αρ]ος Σε|[βαστ]οῦ Γε[ρ]μανικοῦ ὡ|ροθέτησαν τὰ μὲν ἐν | δεξιᾶι εἶναι Σαγαλασσέων, || τὰ δὲ ἐν ἀριστερᾶι κώ|μης Τυμβριανασσο[ῦ . .] | Νέρωνος Κλαυδίου Καίσαρος | [Σεβαστοῦ Γ]ερμ[ανικοῦ . . . .]

"The stone containing this inscription was so placed that the reader, looking north, had on his right hand, eastward, Sagalassian territory, and on his left hand, westward, the imperial estate named Tymbrianassus" (Ramsay, *A.J.A.* 4 (1888), 267). The decision recorded on this stone settled a boundary dispute between the city of Sagalassus and an imperial estate to which the village of Tymbrianassus belonged. On instructions issued by the emperor, the *legatus* of the emperor in Galatia and the imperial procurator acted as arbiters. Sagalassus was once a *civitas foederata* (Marquardt, *St. Verw.* 1, 75; *cf.* Cagnat, *IGRR.* 3, 350, 352, 353), but was brought under Roman administration before the time of Strabo (Strabo, 12. 6. 5, p. 569). It is possible that her privileges had been abridged for the same reasons which had led to the change of status of the Rhodians (*cf.* no. 54). Petronius was *legatus* of Galatia early in the reign of Nero (*Prosop.* 3, no. 238) and Pupius was procurator of that province in the reign of both Claudius and Nero (*CIG.* 3991, *add.* p. 1108).

## 58. DECRETUM PROCONSULIS SARDINIAE DE FINIBUS PATULCENSIUM ET GALILLENSIUM

(69 p. Chr.)

*CIL.* x, 7852; Dessau, 5947; Bruns, 71*a*; Girard, p. 179; Riccobono, p. 256; Mommsen, *Ges. Schr.* 5, 325 *ff.*; de Ruggiero, *L'arbitrato pubblico*, 43.

Imp. Othone Caesare Aug. cos. xv k. Apriles | descriptum et
recognitum ex codice ansato L. Helvi Agrippae procons(ulis), quem
protulit Cn. Egnatius | Fuscus scriba quaestorius, in quo scriptum
fuit it quod infra scriptum est tabula v c(apitibus) viii | et viiii et x:
iii idus Mart. L. Helvius Agrippa proco(n)s(ul) caussa cognita
pronuntiavit: || cum pro utilitate publica rebus iudicatis stare conveniat, 5
et de caussa Patulcensi|um M. Iuventius Rixa vir ornatissimus
procurator Aug. saepius pronuntiaverit, fi|nes Patulcensium
ita servandos esse, ut in tabula ahenea a M. Metello ordinati |
essent, ultimoque pronuntiaverit, Galillenses frequenter retractantes
controver|sia*m* nec parentes decreto suo se castigare voluisse, sed
respectu clementiae optumi || maximique principis contentum esse 10
edicto admonere, ut quiescerent et rebus | iudicatis starent et intra

k. Octobres primas de praedis Patulcensium recederent vacuam|que possessionem traderent; quodsi in contumacia perseverassent, se in auctores | seditionis severe anim*a*dversurum; et post ea Caecilius Simplex vir clarissi|mus, ex eadem caussa aditus a Galillensibus dicentibus: tabulam se ad eam rem || pertinentem ex tabulario principis adlaturos, pronuntiaverit, humanum esse | dilationem probationi dari, et in k. Decembres trium mensum spatium dederit, in|tra quam diem nisi forma allata esset, se eam, quae in provincia esset, secuturum. |

Ego quoque aditus a Galillensibus excusantibus, quod nondum forma allata esset, in | k. Februarias quae p(roximae) f(uerunt) spatium dederim, et mora*m* illis possessoribus intellegam esse iucun||dam: Galilenses ex finibus Patulcensium Campanorum, quos per vim occupaverant, intra k. | Apriles primas decedant. Quodsi huic pronuntiationi non optemperaverint, sciant, | se longae contumaciae et iam saepe denuntiatae animadversioni obnoxios | futuros. In consilio fuerunt: M. Iulius Romulus leg. pro pr., T. Atilius Sabinus q. | pro pr., M. Stertinius Rufus f., Sex. Aelius Modestus, P. Lucretius Clemens, M. Domitius || Vitalis, M. Lusius Fidus, M. Stertinius Rufus. | Signatores: Cn. Pompei Ferocis. Aureli | Galli. M. Blossi Nepotis. C. Cordi Felicis. L. Vigelli Crispini. L. Valeri Fausti. M. Luta|ti Sabini. L. Coccei Genialis. L. Ploti Veri. D. Veturi Felicis. L. Valeri Pepli.

On a bronze tablet found in 1866 in Sardinia. This is a decree of the proconsul L. Helvius Agrippa settling a dispute concerning land of two peoples of Sardinia. The quarrel had lasted from 114 B.C. to A.D. 69. Four steps in the adjudication of the matter are recorded in the document: the decisions, (1) of the proconsul Metellus in 114 B.C. (l. 7), (2) of M. Iuventius Rixa, procurator in A.D. 66–67 (ll. 12 *f.*), (3) of the proconsul Caecilius Simplex (ll. 13 *ff.*), and (4) of the proconsul L. Helvius Agrippa (ll. 20 *ff.*). Metellus had awarded the lands in dispute to the Patulcenses, but the Galillenses continued to hold them by force (l. 20). Rixa confirmed the decision of Metellus and ordered the Galillenses to vacate the territory in question before a fixed date, or to be adjudged *auctores seditionis* (ll. 12 *f.*). Simplex granted a delay of two months, from October 1 to December 1, in order that the Galillenses might obtain a copy

of the decree of Metellus from the *tabularium principis.* Agrippa continued the respite for two months more, but since the Galillenses did not submit the *forma* from Rome, he issued this decree, in accordance with the *forma* in the province, on Mar. 13 (l. 4), and a copy of it was furnished on Mar. 18 (l. 1) by Cn. Egnatius Fuscus, the *scriba quaestorius* of the provincial governor (Mommsen, *St. R.* 1, 348, n. 2; 349, n. 2), to the Patulcenses, who had it inscribed on this tablet. Sardinia was in charge of imperial procurators up to A.D. 67, when it was turned over to the senate (Pausanias, 7. 17. 3). Rixa, probably the last procurator, was succeeded by the proconsul Simplex, whom Agrippa followed. Mommsen is of the opinion that a governor did not have the power to settle a question like this one in Sardinia, but that it had to be referred to the emperor. However that may be, petitions seem to have been sent to the emperor, and probably the delay granted by Rixa was made at the suggestion of the emperor (ll. 8 *ff.*). Strangely enough the copy of the decree of Metellus in the *tabularium principis* is to be secured by the Galillenses, not by the governor. Agrippa has eight men in his *consilium* (ll. 23 *ff.*). At the head of the list stand his *legatus pro praetore* and his *quaestor pro praetore.* The copy is in tablet v, chapp. VIII–X, in the *codex ansatus* of Agrippa, which is produced for the purpose of making the copy by his *scriba quaestorius* (ll. 2 *ff.*). It is signed by eleven witnesses (ll. 25 *ff.*), whose names stand in the genitive on the bronze tablet, because on the copy they were probably preceded by seals. In ll. 8–9 the engraver should have cut *controversiam* and in l. 19 *moram.* Outside of the literature cited in the heading, *cf.* also Karlowa, 1, 818 *ff.* On the *decreta*, *cf.* p. 239, n. 4. On arbitration, *cf.* pp. 152 *ff.*

## 59. RESCRIPTUM VESPASIANI AD VANACINOS

(ca. 72 p. Chr.)

*CIL.* x, 8038; Bruns, 80; Girard, p. 190; Riccobono, p. 320.

Imp. Caesar Vespasianus Augustus | magistratibus et senatoribus | Vanacinorum salutem dicit. | Otacilium Sagittam, amicum et procu||ratorem meum, ita vobis praefuisse, | ut testimonium vestrum mereretur, | delector. | De controversia finium, quam ha|betis cum Marianis, pendenti ex || is agris, quos a procuratore meo | Publilio

Memoriale emistis, ut | finiret Claudius Clemens procu|rator meus, scripsi ei et mensorem | misi. || Beneficia tributa vobis ab divo | Augusto post septimum consula|tum, quae in tempora Galbae reti|nuistis, confirmo. | Egerunt legati || Lasemo Leucani f. sacerd(os) Aug(usti), | Eunus Tomasi f. sacerd(os) Augusti, | C. Arruntio Catellio Celere, M. | Arruntio Aquila cos. IIII idus Octobr. |

A bronze tablet found in Corsica. The letter of the emperor not only provided for the settlement of a territorial dispute with the colonia Mariana (*cf.* Abbott, *Class. Phil.* 10 (1915), 374), but it also confirmed certain privileges granted by Augustus, which had been allowed to lapse in the time of Galba. On the settlement of territorial disputes, *cf.* pp. 154 *ff.* On the form of a rescript, *cf.* pp. 237 *ff.*

## 60. TITULUS SACER
(76 p. Chr.)

*CIL.* II, 1610; Dessau, 1981.

Apollini Aug. | municip*es* Igabrenses | beneficio imp. Caesaris Aug. Vespasiani | c. R. c. cum suis per h*onore*m || Vespasiano VI cos., M. Aelius M. fil. Niger aed. | d. d.

Found on the site of Igabrum in Baetica. Vespasian showed special favor to Spain, perhaps because of its early adherence to his cause; *cf.* Tac. *Hist.* 2. 67, 86, 97; 3. 44. Probably in 74 he conferred *Latium minus* on it. To certain individuals and to certain communities he granted Roman citizenship; *cf.* Weynand, *R.E.* 6, 2659 *f.*, 2661, 2681. Furthermore, in the inscriptions there are ninety cases in which the names of Spanish towns, the enrolment of their citizens in the Flavian tribe, Quirina, or the application of the epithet *municipium Flavium* probably indicate a remodelling by Vespasian; *cf.* McElderry, *Journ. Rom. Studies*, 8 (1918), 68, 78. Altogether under Vespasian at least four hundred communities received new charters; *cf.* McElderry, *loc. cit.* 78. On Vespasian's grant to the Saborenses, *cf.* no. 61. His liberal policy in Spain was followed by Domitian, who granted charters to several cities; *cf.* nos. 64, 65. *C. R. c.* in our inscription is an abbreviation of *civitatem Romanam consecuti.*

## 61. EPISTULA VESPASIANI AD SABORENSES

(78 p. Chr.)

*CIL.* ii, 1423; Dessau, 6092; Bruns, 81; Girard, p. 190; Riccobono, p. 320.

Imp. Cae*s*. Vespasianus Aug. pon|tifex maximus, tribuniciae | potestatis viiii, imp. xiix, consul | viii, p. p., salutem dicit iiii viris et || decurionibus Saborensium. | Cum multis difficultatibus infirmita|tem vestram premi indicetis, per|mitto vobis oppidum sub nomine meo, ut | voltis, in planum extruere. Vecti||galia, quae ab divo Aug. accepisse dici|tis, custodio; si qua nova adicere vol|tis, de his procos. adire debebitis, ego | enim nullo respondente constitu|ere nil possum. Decretum vestrum || accepi viii ka*l*. August. Legatos dimi|si iiii ka*l*. easdem. Valete. | IIviri C. Cornelius Severus et M. Septimi|us Severus publica pecunia in aere | inciderunt.

Bronze tablet found at Cañete in Baetica, Spain, in the sixteenth century, and now lost. The titles fix the date as in the latter half of A.D. 78. Vespasian permits the Saborenses to rebuild their town on a new site in the plain, with the title Flavia. The inscription is important as attesting imperial control over municipal taxation, and as showing the procedure which a town of this class must follow before laying new taxes. The central government required municipalities to submit to it their plans for new imposts, for fear its own sources of revenue would be diminished by local taxation. Whether the *vectigalia* referred to here took the form of an octroi, as at Palmyra (*cf.* no. 89; p. 140, n. 2; Dessau, *Hermes*, 19 (1884), 486–533), or not, it is impossible to say (*cf.* Liebenam, *St. Verw.* 22; Marquardt, *St. Verw.* 1, 157, n. 5). To Stratonicea, a newly-founded city, Hadrian even turned over a tax which had previously been paid to the *fiscus* (*cf.* no. 83). The title Flavia follows about four years after the granting of Latin rights to all towns in Spain (*cf.* Plin. *N.H.* 3. 3. 30). On Vespasian's reconstruction of Spain, *cf.* no. 60.

## 62. LEX DE OFFICIIS ET HONORIBUS FLAMINIS PROVINCIAE NARBONENSIS

(69–79 p. Chr.)

*CIL.* xii, 6038; Dessau, 6964; Riccobono, p. 159; Bruns, 29; Carette, *Les assemblées prov. de la Gaule rom.* 445 *ff.*

. . . . . . . . . *Nar*bone. . . . . . . . . . . . . . *flamen* | *cum rem divinam faciet sacrificab*itque, lictores *qui magistratibus apparent, ei apparento.* | . . . . . . . . . . *secundum lege*m iusque eius provinciae. . . . . . . . . . . . . . . | . . . . . . . . ei in decurionibus senatuve *sententiae dicendae signandique* . . . *item* || . . . . . . . . . . . . *inter decuriones* senatoresve subsellio primo spectan*di ludos publicos ius potestasque esto.* | . . . . . . . . . *uxor fla*minis veste alba aut purpurea vestita f*estis diebus*. . . . . . . . . . . . | . . . . . . . neve invita iurato neve corpus hominis mor*tui attingito neve* | . . . . . . . . . . . . . . *nisi necessar*ii hominis erit eique spectaculis publicis eius p*rovinciae loco* . . . . *interesse liceto.* |

De honoribus eius qui flamen f*uerit.* || *Si qui flamen fue*rit adversus hanc legem nihil fecerit, tum is qui flamen erit c*um primum poterit ad legatos provinciae referto* | *iique per tabell*as iurati decernant, placeatne ei qui flamonio abierit permitti sta*tuam sibi ponere. Cui ita decreverint* | *ius esse sta*tuae ponendae nomenque suum patrisque et unde sit et quo anno fla*men fuerit inscribendi, ei* | *Narbo*ne intra fines eius templi statuae ponendae ius esto, nisi cui imperator *Caesar Augustus interdixerit* (?). *Eidem* | *i*n curia sua et concilio provinciae Narbonesis inter sui ordinis secundum le*gem* . . . . . . || sententiae dicendae signandique ius esto, item spectaculo publico in provincia *edendo inter decuriones interesse prae*|textato eisque diebus, quibus, cum flamen esset, sacrificium fecerit, ea veste pu*blice uti, qua in eo faciendo usus est.* |

Si flamen in civitate esse des*ierit.* | Si flamen in civitate esse desierit, neque ei subrogatus erit, tum uti quis*que* . . . . . . . | in triduo quo certior factus erit et poterit, Narbon*e* sacra facito *omniaque secundum hanc legem per reliquam* || partem eius anni eo ordine habeto, quo annuorum flamin*um habentur, eique si ea fecerit per dies non minus* | xxx, siremps lex ius causaque esto, quae flamini Augus*tali ex hac lege facto erit.* |

Quo loco concilium *provinciae habendum sit.* | Qui in concilium

provinciae convenerint N*arbonem, ibi id habento. Si quid extra Narbonem finesve Narbone*|sium concilio habito actum erit, id ius rat*umque ne esto* (?) || . . . . .

De pecu*nia sacris destinata.* | Qui flamonio abierit, is ex ea pecunia *quae sacris destinata erit, quod eius superfuerit, statu*|as imaginesve imperatoris Caes*aris Augusti*. . . . . . . *arbitratu*(?) *eius qui eo anno pro*|vinciae praeerit intra idem t*emplum dedicato*. . . . . . *seque omnia sicut hac lege cautum est de* | ea re, fecisse apud eum qui *rationes provinciae putabit*. . . . . *probato*. ||. . . . . templ. . . . . . . . . .

Bronze tablet found in 1888 at Narbonne, now in the Louvre. The upper left hand and the lower right hand corners are lost; see facsimile in Carette, *op. cit.* 445. Perhaps the inscription belongs to the reign of Vespasian; *cf.* Krascheninnikof, *Philol.* 53 (1894), 161 *ff.* Of most interest to one who is studying the *concilia* are the paragraphs beginning *de honoribus eius* and *quo loco concilium.* From the first paragraph it is clear that the *concilium* meets under the presidency of the flamen, who takes the initiative in laying the business of the meeting before the *legati*, or representatives of the several cities. In this important matter they vote by secret ballot, as the senators at Urso and Malaca did in similar circumstances (*cf.* nos. 26 and 64), and under oath. Probably on ordinary matters an oral vote was taken, without an oath. From the fact that the right of the emperor to interpose a veto in this case is set forth in the law, we may infer with probability that he rarely intervened (*cf.* no. 97). From the paragraph beginning *quo loco concilium* it seems highly probable that the assembly met in the temple of Rome and Augustus, remains of which have been found at Narbonne, and, if Mommsen's restoration at the end of this paragraph is correct, the *concilium*, like the Roman senate, could not legally meet outside the limits of the city.

## 63. EPISTULA DOMITIANI AD FALERIENSES

(82 p. Chr.)

*CIL.* IX, 5420; Bruns, 82; Girard, p. 191; Riccobono, p. 321.

Imp. Caesar divi Vespasiani f. | Domitianus Augustus | pontifex max., trib. potest., imp. II, | cos. VIII designat. VIIII, p. p., salutem dicit || IIII viris et decurionibus Faleriensium ex Piceno. |

Quid constituerim de subsicivis cognita causa | inter vos et Firmanos, ut notum haberetis, | huic epistulae subici iussi. |

P. Valerio Patruino . . . . . . . . . cos. || xiiii k. Augustas. |

Imp. Caesar divi Vespasiani f. Domitianus | Aug. adhibitis utriusque ordinis splen|didis viris cognita causa inter Fale|rienses et Firmanos pronuntiavi quod || suscriptum est. |

Et vetustas litis, quae post tot annos | retractatur a Firmanis adversus | Falerienses, vehementer me movet, | cum possessorum securitati vel mi||nus multi anni sufficere possint, | et divi Augusti, diligentissimi et in|dulgentissimi erga quartanos suos | principis, epistula, qua admonuit | eos, ut omnia subpsiciva sua collige||rent et venderent, quos tam salubri | admonitioni paruisse non dubito; | propter quae possessorum ius confirmo. | Valete.

D(atum) xi k. Aug. in Albano, | agente curam T. Bovio Vero, || legatis P. Bovio Sabino, | P. Petronio Achille.—D(ecreto) d(ecurionum) p(ublice).

Bronze tablet found at Falerio in Picenum in 1595, now lost. Domitian's name in ll. 2 and 11 and that of the second consul in l. 9 have been cut off. The phrase *adhibitis utriusque ordinis splendidis viris* (ll. 12–13) implies that the *consilium*, or, as it was later called, the *consistorium* of the emperor was composed of both senators and knights, but that its composition had not become fixed, as it did under Hadrian (*cf.* Herzog, 2, 369 *ff.*, 757 *f.*; Mommsen, *St. R.* 2, 988 *ff.*; Hirschfeld, 340, n. 2; Seeck, *R.E.* 4, 927 *f.*; Cuq, *Mém. sur le consilium principis*). The letter settles the ownership of small parcels of land in the possession of Firmum, but claimed by Falerio. On the division of village lands, *cf.* Liebenam, *St. Verw.* 1–13. This inscription makes it highly probable that Falerio was a colony of veterans founded by Augustus (ll. 22 *ff.*; *cf.* Mommsen, *Hermes*, 18 (1883), 173; *CIL.* ix, p. 517). For the method of procedure before the emperor's *consilium*, *cf.* pp. 241 *ff.* For the concluding paragraph, *cf.* p. 238. For other cases of arbitration, *cf.* nos. 8, 10, 46, 57, 58, 59, 104, and pp. 152 *ff.*

## 64. LEX SALPENSA

(81–84 p. Chr.)

*CIL.* II, 1963; Dessau, 6088; Bruns, 30*a*; Girard, p. 108; Riccobono, p. 162.

*R(ubrica). Vt magistratus civitatem Romanam consequantur.* Col. I

*XXI. . . Qui* IIvir *aedilis quaestor ex hac lege factus erit, cives Romani sunto, cum post annum magistratu* | abierint, cum parentibus coniugibusque *a*c liberi*s*, qui legitumis nuptis quae|siti in potestatem parentium fuer*i*nt, item nepotibus ac neptibus filio | nat*i*s *natabus*, qui quaeque in potestate parentium fuerint; dum ne plures c(ives) R(omani) | sint, qua*m* quod ex h(ac) l(ege) magistratus creare oportet. ||

R. Vt qui civitat(em) Roman(am) consequantur, maneant in eorundem m(ancipio) m(anu) | potestate. |

XXII. Qui quae*v*e ex h. l. exve edicto imp(eratoris) Caesaris Aug(usti) Vespasiani, imp(eratoris)ve Titi | Caesaris Aug(usti), aut imp(eratoris) Caesaris Aug(usti) Domitiani p(atris) p(atriae), civitatem Roman(am) | consecutus consecuta erit: is ea in eius, qui c(ivis) R(omanus) h(ac) l(ege) factus erit, potestate || manu mancipio, cuius esse deberet, si civitate Romana mutatus | mutata non esset, esto idque ius tutoris optandi habeto, quod | haberet, si a cive Romano ortus orta neq(ue) civitate mutatus mu|tata esset.

R. Vt qui c(ivitatem) R(omanam) consequentur, iura libertorum retineant. |

XXIII. Qui quaeve *ex* h(ac) l(ege) exve edicto imp(eratoris) Caes(aris) Vesp(asiani) Aug(usti), imp(eratoris)ve Titi Caes(aris) Vespasian(i) Au(gusti), || aut imp(eratoris) Caes(aris) Domitiani Aug(usti), c(ivitatem) R(omanam) consecutus consecuta erit: is in | libertos libertasve suos suas paternos paternas, qui quae in c(ivitatem) R(omanam) non | venerit, deque bonis eorum earum et is, quae libertatis causa inposita | sunt, idem ius eademque condicio esto, quae esset, si civitate mutat*us* | mutat*a* non esset.

R. De praefecto imp(eratoris) Caesaris Domitiani Aug(usti). ||

XXIIII. Si eius municipi decuriones conscriptive municipesve imp(eratori) Caesar*i* Domitian(o) | Aug(usto) p(atri) p(atriae) IIviratum communi nomine municipum eius municipi de|tuler*i*nt imp(erator)*q*ue Domitian*us* Caesa*r* Aug(ustus) p(ater) p(atriae) eum IIviratum receperit | et loco suo praefectum quem esse iusserit: is praefectus eo *iu*re esto, quo | esset si eum IIvir(um) i(ure) d(icundo) ex h(ac) l(ege) solum creari oportuisset, isque ex h(ac) l(ege) solus || IIvir i(ure) d(icundo) creatus esset.

R. De iure praef(ecti), qui a IIvir(o) relictus sit. |

XXV. Ex IIviris qui in eo municipio i(ure) d(icundo) p(raeerunt), uter postea ex eo municipio proficiscetur | neque eo die in id municip*i*um esse se rediturum arbitrabitur, quem | praefectum municipi non minorem quam annorum XXXV ex | decurionibus conscriptisque relinquere volet, facito ut is iuret per || Iovem et divom Aug(ustum) et div*o*m Claudium et divom Vesp(asianum) Aug(ustum) et divom | Titum Aug(ustum) et Genium imp(eratoris) Caesaris Domitiani Aug(usti) deosque Penates; | quae IIvir(um), qui i(ure) d(icundo) p(raeest), h(ac) l(ege) facere oporteat, se, dum praefectus erit, d(um) *t*(*axat*) quae eo | tempore fieri possint facturum, neque adversus ea *f*acturum scientem | d(olo) m(alo); et cum ita iuraverit, praefectum eum eius municipi relinquito. *E*i || qui ita praefectus relictus erit, donec in id municipium alteruter ex IIviris | adierit, in omnibus rebus id ius e*a*que potestas esto, praeterquam de praefec|to relinquendo et de c(ivitate) R(omana) consequenda, quod ius quaeque potestas h(ac) l(ege) | IIviri*s* *qui* iure dicundo praeerunt datur. Isque dum praefectus erit quo|tiensque municipium egressus erit, ne plus quam singulis diebus abesto. ||

R. De iure iurando IIvir(um) et aedil(ium) et q(uaestorum). |

XXVI. Duovir(i) qui in eo municipio *i*(*ure*) d(icundo) p(raesunt), item aediles *qui* in eo municipio sunt, item | quaestores qui in eo muncipio sunt, eorum quisque in diebus quinq(ue) | proxumis post h(anc) l(egem) datam; quique IIvir(i) aediles quaestoresve postea

ex h(ac) l(ege) | creati erunt, eorum quisque in diebus quinque
proxumis, ex quo IIvir || aedil*i*s quaestor esse coeperit, priusquam 45
decuriones conscriptive **|** habeantur, iuranto pro contione per Iovem Col. II
et div*o*m Aug(ustum) et divom Claudi|um et divom Vespasianum
Aug(ustum) et divom Titum Aug(ustum) et Genium Domitiani |
Aug(usti) deosque Penates: se, quodqu*o*mque ex h(ac) l(ege) exqu*e*
re communi m(unicipum) m(unicipi) Flavi | Salpensani censeat,
recte esse facturum, ne*q*ue adversus h(anc) l(egem) remve commu||ne*m*
municipum eius municipi facturum scientem d(olo) m(alo), 5
quosque prohi|bere possit prohibiturum; neque se aliter consilium
habiturum neq(ue) aliter | daturum neque sententiam dicturum,
quam u*t* *ex* h(ac) l(ege) exque re communi | municipum eius municipi
censeat fore. Qui ita non iuraverit, is HS X (milia) | municipibus
eius municipi d(are) d(amnas) esto, eiusque pecuniae deque ea
pecunia mu||nicipum eius municipi cui volet, cuique per hanc legem 10
licebit, actio peti|tio persecutio esto.

R. De intercessione IIvir(um) et aedil(ium) *et* q(uaestorum). |

XXVII. Qui IIvir(i) aut aediles aut quaestores eius municipi
erunt, his IIvir(is) inter | se et cum aliquis alterutrum eorum aut
utrumque ab aedile aedilibus | aut quaestor*e* quaestoribus appellabit,
item aedilibus inter se, *item quaestoribus inter se* inter||cedendi, in 15
triduo proxumo quam appellatio facta erit poteritque | intercedi,
quod eius adversus h(anc) l(egem) non fiat, et dum ne amplius
quam semel | quisque eorum in eadem re appelletur, ius potestasque
esto, neve quis | adversus ea qui*d*, qu*o*m intercessum erit, facito. |

R. De servis apud IIvir(um) manumittendis. ||

XXVIII. Si quis municeps municipi Flavi Salpensani, qui 20
Latinus erit, aput IIvir(os), | qui iure dicundo praeerunt eius municipi,
servom suom servamve suam | ex servitute in libertate*m* manumiserit,
liberum liberamve esse iusserit, | dum ne quis pupillus neve
quae virgo mulierve sine tutore auctore | quem quamve manumittat,
liberum liberamve esse iubeat: qui ita || manumissus liberve 25
esse iussus erit, liber esto, quaeque ita manumissa | liberave *esse*
iussa erit, libera esto, uti qui optumo iure Latini libertini li|beri
sunt erunt; *d*um is qui minor XX annorum erit ita manumittat, |

si causam manumittendi iusta*m* esse is numerus decurionum, per quem | decreta h(ac) l(ege) facta rata sunt, censuerit.

R. De tutorum datione. ||

XXIX. Cui tutor non erit incertusve erit, si is e*a*ve municeps municipi Flavi Salpensani | erit, et pupilli pupillaeve non erunt, et ab IIviris, qui i(ure) d(icundo) p(raeerunt) eius municipi, postu-|laverit, uti sibi tutorem det, *et* eum, quem dare volet, nominaverit: *t*um is, | a quo postulatum erit, sive unum sive plures collegas habebit, de omnium colle|garum sententia, qui tum in eo municipio intrave fines municipi eius er*un*t, || causa cognita, si ei videbitur, eum qui nominatus erit tutorem dato. Sive | is eave, cuius nomine ita postulatum erit, pupil(lus) pupillave erit, sive is, a quo | postulatum erit, non habebit collegam, *collega*ve eius in eo municipio intrave | fines eius municipi nemo erit: *t*um is, a quo ita postulatum erit, causa co|gnita in diebus x proxumis, ex decreto decurionum, quod cum duae partes || decurionum non minus adfuerint, factum erit, eum, qui nominatus | erit, quo ne ab iusto tutore tutela *a*beat, ei tutorem dato. Qui tutor h(ac) l(ege) | datus erit, is ei, cui datus erit, quo ne ab iusto tutore tutela *a*beat, tam iustus | tutor esto, quam si is c(ivis) R(omanus) et *ei* adgnatus proxumus c(ivis) R(omanus) tutor esset. |

In 1851 two bronze tablets, one with five columns, the other with two columns of text, were found near Malaga. They were protected from injury by a cloth wrapping and a casing of tiles, so that they had evidently been buried deliberately, perhaps to escape seizure. (For other theories, *cf.* Dessau, *Wien. Stud.* 24 (1902), 240; Mommsen, *Ges. Schr.* 1, 283.) The tablet with two columns contains a part of the charter of Salpensa, the other, a part of the charter of Malaca (no. 65). The provision made for choosing Domitian duovir (chap. XXIV) and the form of oath to be taken by magistrates (chapp. XXII, XXIII) show that the charter of Salpensa was granted by Domitian, and consequently subsequent to Sept. A.D. 81. A similar conclusion may be drawn for Malaca (no. 65, chap. LIX). The document antedates A.D. 84 because Domitian does not bear the cognomen Germanicus. To confine our attention to the political relations which these two towns bore to the outside

world, it is clear that Salpensa, at least, had only *Latium minus*, because only local magistrates with their families and with the members of the second generation in the male line acquired Roman citizenship (chap. XXI, *cf.* p. 192). Evidently decurions who had not held a magistracy did not enjoy this privilege. Nothing is said about the acquisition of Roman citizenship in the extant fragments of the *lex Malacitana*, but in all probability the two towns had the same political status, and it is proper to take it for granted that the same provisions held good for both municipalities. The phrase, "if any citizen of the *mun. Flav. Salp. qui Latinus erit*" (chap. XXVIII), shows that there were Roman citizens, as well as Latins, in Salpensa, and they had the right to vote both in Salpensa and in Rome, and in the *lex Malacitana* (chap. LIII) provision is made for their assignment to a particular *curia*.

Up to the time of Vespasian Malaca was a *civitas foederata*, and Salpensa probably a *civitas stipendiaria* (Mommsen, *Ges. Schr.* I, 293 *ff.*). This emperor gave them Latin rights (Pliny, *N.H.* 3. 3. 30). That this gift of Latin rights was made by Vespasian in the case of Salpensa, at least, is evident from the reference to this emperor in the charter (chapp. XXII, XXIII). It is confirmed by Titus and Domitian. Since these privileges emanate from the Flavian emperors, the two towns are *municipia Flaviana*, like so many other Spanish municipalities (*CIL.* II, *S.* p. 1160).

In the *lex Salpensa* provision is made for the election of Domitian to the duovirate. Under the early empire other members of the imperial family might receive this honor. Tiberius seems to have restricted the privilege to the emperor (p. 63). In Salpensa the prefect representing the emperor is chosen by him, but in other municipalities the power to make the choice could be delegated to the local senate (*CIL.* IX, 3044), in which case the prefect bore the title *praefectus imperatoris ex senatus consulto.*

The article in the *lex Malacitana* which governs the election of *patroni* prescribes a quorum of two-thirds of the members of the senate and secret balloting, but it does not expressly forbid the election of a Roman senator *cum imperio* (chap. LXI; *cf.* no. 26).

That many of the provisions in these charters were adopted from the corresponding usages in the city of Rome seems to be clear from the *lex Malacitana*, chap. LXIV.

Unfortunately chap. LXIX which deals with the judiciary is incomplete. A minimum of 1000 sesterces and a maximum, not named, are certainly fixed. Perhaps in suits involving less than 1000 sesterces, the aedile was competent (Mommsen, *Ges. Schr.* 1, 335), while actions involving more than 1000 sesterces and less than the unnamed maximum went before the duovir. Cases running beyond the maximum were probably heard by the proconsul (*cf.* commentary on no. 27). So far as we can infer, this local jurisdiction applied to all citizens, whether Romans or Latins.

For the earlier literature on these charters, *cf.* Riccobono, p. 163. For the text with a commentary, cf. Mommsen, *Ges. Schr.* 1, 267 *ff.* A translation of the two charters and a commentary on them may be found in Hardy, *Three Spanish Charters*, 61 *ff.*

## 65. LEX MALACITANA

(81–84 p. Chr.)

*CIL.* II, 1964; Dessau, 6089; Bruns, 30*b*; Girard, p. 112; Riccobono, p. 168.

Col. 1. *R(ubrica). De nominatione candidatorum.*

*LI. Si ad quem diem professio* | fieri oportebit, nullius nomine aut | pauciorum, quam tot quod creari opor|tebit, pr*o*fessio facta er*i*t sive ex his, | quorum nomine professio facta erit, || pauciores erunt quorum h(ac) l(ege) comitiis ra|tionem habere oporteat, quam tot *quot* cre|ari oportebit: tum is qui comitia ha|bere debebit proscribito, ita u(t) d(e) p(lano) r(ecte) l(egi) p(ossint), | tot nomina eorum, quibus per h. l. || eum honorem petere licebit, quod de|runt ad eum numerum, ad quem crea|ri ex h. l. oportebit. Qui ita proscripti | erunt, ii, si volent, aput eum, qui ea co|mitia habiturus erit, singuli singu||los eiiusdem condicion*i*s nominato, | ique item, qui tum ab is nominati erunt, si | volent, singuli singulos aput eun|dem e*a*demque condicione nomina|to; isque, aput quem ea nominatio fac||ta erit, eorum omnium nomina pro|ponito ita u. d. p. r. l. p., deque is om|nibus item comitia habeto, perinde | ac si eorum quoque nomine ex h. l. de | petendo honore professio facta

esset || intra praestitutum diem, petereque | eum honorem sua sponte c*o*epissent ne|que eo proposito destitissent. |

### R. De comitiis habendis. |

LII. Ex IIviris qui nunc sunt, item ex is, qui || deinceps in eo municipio IIviri erunt, | uter maior natu erit, aut, si ei causa qu|ae inciderit q(uo) m(inus) comitia habere pos|sit, tum alter ex his comitia IIvir., item | aedilibus, item quaestoribus rogandis || subrogandis h. l. habeto; utique ea dis|tributione curiarum, de qua supra con|prehensum est, suffragia ferri debe|bunt, ita per tabellam ferantur facito. | Quique ita creati erunt, ii annum unum || aut, si in alterius locum creati erunt, | reliqua parte eiius anni in eo honore | sunto, quem suffragis erunt consecuti. |

### R. In qua curia incolae suffragia | ferant. ||

LIII. Quicumque in eo municipio comitia IIviris, | item aedilibus, item quaestoribus rogan|dis habebit, ex curiis sorte ducito unam, | in qua incolae, qui cives R. Latinive cives | erunt, suffragi*um* ferant, eisque in ea cu||ria suffragi latio esto. |

### R. Quorum comitis rationem habe|ri oporteat. |

LIIII. Qui comitia habere debebit, is primum IIvir. | qui iure dicundo praesi*nt* ex eo genere in||genuorum hominum, de quo h. l. cau|tum conprehensumque est, deinde proxi|mo quoque tempore aediles item quaesto|res ex eo genere ingenuorum hominum, | de quo h. l. cautum conprehensumque est, || creando*s* curato; dum ne cuiius comi|tis rationem habeat, qui IIviratum pe|tet qui minor annorum XXV erit, qui|ve intra quinquennium in eo honore | fuerint; item qui aedilitatem quaesturam||ve petet, qui minor quam annor. XXV erit, | quive in earum qua causa erit, propter | quam, si c. R. esset, in numero decurio|num conscriptorumve eum esse non lice|ret.

### R. De suffragio ferendo. |

LV. Qui comitia ex h. l. habebit, is municipes cu||riatim ad suffragium ferendum voca|to ita, ut uno vocatu omnes curias in | suffragium vocet, eaeque singulae in | singulis consaeptis suffragium per ta|bellam ferant. Itemque curato, ut ad cis||tam cuiiusque curiae ex municipibus | eiius municipi terni sint, qui eiius cu|riae non sint, qui suffragia custodiant | diribeant, et uti antequam id faciant qu|isque eorum iurent, se rationem suffra||giorum fide bona habiturum relaturum|que. Neve prohib*e*to, q. m. et qui hono|rem petent singulos custodes ad singu|las cistas ponant. Iique custodes ab eo | qui comitia habebit, item ab his positi || qui honorem petent, in ea curia quis|que eorum suffragiu*m* ferto, ad cuiius cu|riae cistam custos positus erit, e*o*rum|que suffragia perinde iusta rataque sun|to ac si in sua quisque curia suffragium || tulisset.

### R. Quid de his fieri oporteat, qui | suffragiorum numero pares erunt. |

LVI. Is qui ea comitia habebit, uti quisque curiae | cuiius plura quam alii suffragia habue|rit, ita priorem ceteris eum pro ea curia || factum creatumque esse renuntiat*o*, | donec is numerus, ad quem creari opor|tebit, expletus sit. Qu*a* in curia totidem | suffragia duo pluresve habuerint, ma|ritum, quive maritorum numero erit, || caelibi liberos non habenti qui mari|torum numero non erit; habentem libe|ros non habenti; plures liberos haben|tem pau*c*iores habenti praeferto priorem|que nuntiato ita, ut bini liberi post no||men inpositum aut singuli puberes amis|si v*i*rive potentes amissae pro singulis | sospitibus numerentur. Si duo pluresve to|tidem suffragia habebunt et eiiusdem | condicionis erunt, nomina eorum in || sortem coicito, et uti quiiusque (*sic*) nomen sor|ti ductum erit, ita eum priorem alis renunti|at*o*.

### R. De sortitione curiarum et is, qui cu|riarum numero pares erunt. |

LVII. Qui comitia h. l. habebit, is relatis omnium || curiarum tabulis nomina curiarum in sor|tem coicito, singularumque curiarum no|mina sorte ducito, et ut cuiiusque curiae | nomen sorte exierit, quos ea curia fecerit, | pronuntiari iubeto; et uti quisque prior || maiorem partem numeri curiarum con|fecerit, eum, cum h. l. iuraverit caverit|que de pecunia communi, factum crea|tumque renuntiato, donec tot magistra|tus sint quod h. l. creari oportebit. Si toti||dem curias duo pluresve habebunt, | uti supra conprehensum est de is qui | suffragiorum numero pares essent, ita | de is qui totidem curias habebunt fa|cito, eademque ratione priorem quem||que creatum esse renuntiato. |

### R. Ne quid fiat, quo minus comitia ha|beantur. |

LVIII. Ne quis intercedito neve quit aliut fa|cito, quo minus in eo muncipio (*sic*) h. l. || comitia habeantur perficiantur. | Qui aliter adversus ea fecerit sciens | d(olo) m(alo), is in res singulas HS X̄ mu|nicipibus municepii (*sic*) Flavi Malacitani | d(are) d(amnas) e(sto), eiiusque pecuniae deque ea pecun. | municipi eius municipii, qui volet, cuique || per h. l. licebit, actio petitio persecutio esto. |

### R. De iure iurando eorum, qui maiorem | partem numeri curiarum expleverit. |

LIX. Qui ea comitia habebit, uti quisque eorum, | qui IIviratum aedilitatem quaesturam||ve petet, maiiorem partem numeri curia|rum expleverit, priusquam eum factum | creatumque renuntiet, iusiurandum adi|gito in contionem (*sic*) palam per Iovem et di|vom Augustum et divom Claudium et divom || Vespasianum Aug. et divom Titum Aug. | et Genium imp. Caesaris Domitiani Aug. | deosque Penates: se e*a* qu*ae* ex h. l. facere | oportebit facturum, neque adversus | h. l. fecisse aut facturum esse scientem || d. m.

### R. Ut de pecunia communi munici|pum caveatur ab is, qui IIviratum | quaesturamve petet. |

LX. Qui in eo municipio IIviratum quaesturam|ve petent quique propter ea, quod pauciorum || nomine quam oportet professio facta | esset, nominatim in eam condicionem | rediguntur, ut de his quoque suffragi|um ex h. l. ferri oporteat: quisque eorum, | quo die comitia habebuntur, ante quam || suffragium feratur arbitratu eius qui ea | comitia habebit praedes in commune mu|nicipum dato pecuniam communem eo|rum, quam in honore suo tractaverit, | salvam is fore. Si d. e. r. is praedibus minus || cautum esse videbitur, praedia subsignato | arbitratu eiiusdem. Isque ab iis praedes prae|diaque sine d. m. accipito, quoad recte cau|tum sit, uti quod recte factum esse volet. | Per quem eorum, de quibus IIvirorum quaes||torumve comitiis suffragium ferri opor|tebit, steterit, q. m. recte caveatur, eius qu*i* co|mitia habebit rationem ne habeto. |

### R. De patrono cooptando. |

LXI. Ne quis patronum publice municipibus muni||cipii Flavi Malacitani cooptato patrocini|umve cui deferto, nisi ex maioris partis de|curionum decreto, quod decretum factum | erit, cum duae partes non minus adfue|rint et iurati per tabellam sententiam tu||lerint. Qui aliter adversus ea patronum | publice municipibus municipii Flavi Ma|lacitani cooptaverit patrociniumve cui | detulerit, is HS x̄ n. in *p*ublicum munici|pibus municipii Flavi Malacitani d. d. e.; *et* is || qu*i* adversus h. l. patronus cooptatus cui|*ve* patrocinium delatum erit, ne magis | ob eam rem patronus municipium (*sic*) muni|cipii Flavi Malacitanitanii (*sic*) esto. |

### R. Ne quis aedificia, quae restitutu||rus non erit, destruat. |

LXII. Ne quis in oppido municipii Flavi Malacita|ni quaeque ei oppido continentia aedificia | erunt, aedificium detegito destruito demo|liundumve curato, nisi *de* decurionum con|scriptorumve sententia cum maior pars || eorum adfuerit, quod restiturus (*sic*) intra proxi|mum annum non erit. Qui adversus ea fece|rit, is quanti e(a) r(es) e(rit), t(antam) p(ecuniam) municipibus municipi | Flavi Malacitani d. d. e., eiusque pecuniae | deque ea pecunia municipi eius municipii || qui volet, cuique per h. l. lice*b*it, actio petitio |
Col. IV persecutio esto. |

### R. De locationibus legibusque locatio|num proponendis et in tabulas mu|nicipi referendis. ||

LXIII. Qui IIvir i(ure) d(icundo) p(raeerit), vectigalia ultroque tributa, | sive quid aliut communi nomine munici|pum eiius municipi locari oportebit, lo|cato. Quasque locationes fecerit quasque | leges dixerit, quanti quit locatum sit et *qui* prae||des accepti sint quaeque praedia subdita | subsignata obligatave sint quique prae|diorum cognitores accepti sint, in tabu|las communes municipum eius (*sic*) municipi | referantur facito et proposita habeto per || omne reliquom tempus honoris sui, ita ut | d. p. r. l. p., quo loco decuriones conscripti|ve proponenda esse censuerint. |

### R. De obligatione praedum praediorum | cognitorumque. ||

LXIV. Quicumque in municipio Flavio Malacitano | in commune municipum eiius municipi | praedes facti sunt erunt, quaeque praedia | accepta sunt erunt, quique eorum prae|diorum cognitores facti sunt erunt: ii om||nes et quae cuiiusque eorum tum *fuerunt*

erunt, cum | praees (*sic*) cognitorve factus est erit, quaeque pos|tea esse, cum ii obligati esse coeper*u*nt c*o*e|perint, qui eorum soluti liberatique non sunt | non erunt aut non sine d. m. sunt erunt, ea||que omnia, qua*e* eorum soluta liberata|que non sunt non erunt aut non sine | d. m. sunt erunt, in commune municipum | eiius municipii item obligati obli|gataeque (*sic*) sunto, uti ii e*a*ve p. R. obligati obli||gatave essent, si aput eos, qui Romae aera|rio praessent, ii praedes i*i*que cognito|res facti eaque praedia subdita subsigna|ta obligatave essent. Eosque praedes eaque | praedia eosque cognitores, si quit eorum, in || quae cognitores facti erunt, ita non erit, | qui quaeve soluti liberati soluta libera|taque non sunt non erunt aut non sine | d. m. sunt erunt, IIviris, qui ibi i. d. prae|runt, ambobus alter*i*ve eorum ex de||curionum conscriptorumque decreto, qu|od decretum cum eorum partes tertiae | non minus quam duae adessent factum | erit, vendere legemque his vendundis dicere | ius potestasque esto; dum ea*m* legem is re||bus vendundis dicant, quam legem eos, | qui Romae aerario praeerunt, e lege prae|diatoria praedibus praedisque vendun|dis dicere oporteret, aut, si lege praedia|toria emptorem non inveniet, quam le||gem in vacuom vendendis dicere opor|teret; et dum ita legem dicant, uti pecu|niam infore municipi Flavi Malacitani | referatur luatur solvatur. Quaeque lex | ita dicta *e*rit, iusta rataque esto. ||

R. Ut ius dicatur e lege dicta praedibus | et praedis vendundis. |

LXV. Quos praedes quaeque praedia quosque cog|nitores IIviri municipii Flavi Malaci|tani h. l. vendiderint, de iis quicumque || i(ure) d(icundo) p(raeerit), ad quem de ea re in ius aditum erit, | ita ius dicito iudiciaque dato, ut ei, qui | eos praedes cognitores ea praedia mer|cati erunt, praedes socii heredesque eorum | i*i*que, ad quos ea res pertinebit, de is rebus || agere easque res petere persequi re|cte possit.

R. De multa, quae dicta erit. |

LXVI. Multas in eo municipio ab IIviris prae|fectove dictas, item ab aedilibus quas ae|diles dixisse se aput IIviros ambo alter|ve ex is professi erunt, IIvir, qui i. d. p., in | tabulas communes municipum eiius mu||nicipi referri iubeto. Si cui ea multa dicta | erit Col. v aut nomine eiius alius postulabit, ut | de ea ad decuriones conscriptosve refe|ratur, de ea decurionum conscriptorum|ve iudicium esto. Quaeque multae non || erunt iniustae a decurionibus con|scriptisve iudicatae, eas multas IIviri | in publicum municipum eiius muni|cipii redigunto. |

### R. De pecunia communi municipum || deque rationibus eorundem. |

LXVII. Ad quem pecunia communis municipum | eiius municipi pervenerit, heresve ei|ius, isve ad quem ea res pertinebit, in die|bus XXX proximis, quibus ea pecunia || ad eum pervenerit, in publicum muni|cipum eiius municipi eam referto. Qui|que rationes communes negotiumve qu|od commun*e* municipum eius munici|pi gesserit tractaverit, is, heresve eiius || *isve* ad quem ea res pertinebit, in diebus XXX | proximis, quibus ea negotia easve ratio|nes gerere tractare desierit quibusque | decuriones conscriptique habebuntur, | r*at*iones edito redditoque decurioni||*b*us conscriptisve cuive de his accipi|endis cognoscendis ex decreto decurio|num conscriptorumve, quod decretum | factum erit cum eorum partes non mi|nus quam duae tertiae adessent, nego||tium datum erit. Per quem steterit, q. | m. ita pecunia redigeretur referre|tur quove minus ita rationes redde|rentur, is, per quem steterit q. m. rationes | redderentur quove minus pecunia redige||retur referret*ur*, heresque eius isque ad qu|em ea res qua de agitur pertinebit, q(uanti) e(a) r(es) | erit, tantum et alterum tantum munici|pibus eiius municipi d. d. e., eiusque pecuni|ae deque ea pecunia municipum muni||cipii Flavi Malacitani ⟨eius ea pecunia | municipum Flavi Malacitani⟩ qui volet, cuique per h. l. licebit, actio pe|titio persecutio esto. |

### R. De constituendis patronis causae, cum | rationes reddentur. ||

LXVIII. Cum ita rationes reddentur, IIvir, qui decurio|nes conscriptosve habebit, ad decuriones | conscriptosve referto, quos placeat publi|cam causam agere, iique decuriones con|scriptive per tabellam iurati d. e. r. decer||nunto, tum cum eorum partes non minus | quam duae tertiae aderunt, ita ut tres, qu|os plurimi per tabellam legerint, causam | publicam agant, iique qui ita lecti erunt tem|pus a decurionibus conscripti*s*ve, quo cau||sam cognoscant actionemque suam or|dinent, postulanto, eoque tempore quod is | datum erit transacto eam causam uti quod | recte factum esse volet agunto. |

R. De iudicio pecuniae communis. ||

LXIX. Quod m(unicipum) m(unicipii) Flavi Malacitani nomine pe|tetur ab eo, qui eius municipi munic*eps* incolave erit, quodve cum eo agetur | quod pluris HS CIↃ sit neque tanti sit, ut | *de ea re proconsulem ius dicere iudiciaque dare ex hac lege oporteat: de ea re IIvir praefectusve, qui iure dicundo praeerit eius municipii, ad quem de ea re in ius aditum erit, ius dicito iudiciaque dato. . . .*

LXIV. l. 56. pecuniam infore municipi, *tablet*; *perhaps* pecunia in publicum municipum.
LXVII, l. 45. eius ea. . . . Malacitani, *dittography.*

See no. 64 and commentary.

### 65*a*. EDICTUM L. ANTISTI RUSTICI, LEGATI DOMITIANI, DE ANNONA COLONIAE ANTIOCHIAE

(ca. 93 p. Chr.)

*Trans. Am. Phil. Assoc.* 55 (1924), 5 *ff.*; *Journ. Rom. Studies*, 14 (1924), 180.

L. Antistius Rusticus leg(atus) | imp(eratoris) Caesar(i)s Domitiani | Aug(usti) Germ(anici) pro pr(aetore), dic(it): | Cum IIvir(i) et decurion(es) || splendidissim(ae) col(oniae) Ant(iochensis) | scripserint mihi propter | hiemis asperitatem an|nonam frumenti ex|arsisse petierintque ut || pleps copiam emendi haberet, | b. *f.* omnes, qui Ant(iochensis) col(oniae) aut | coloni aut incolae sunt, | profiteantur apud IIviros col(oniae) | Antiochensis intra tri||censimum diem quam | hoc edictum meum pro|positum fuerit quantum | quisque et quo loco fru|menti habeat et quan||tum in semen aut in | cibaria annua familiae | suae deducat, et reliqui | omnis frumenti copiam | emptoribus col(oniae) Antiochens(is) || faciat. Vendendi au(t)em | tempus cons(t)ituo in k(alendas) Aug(ustas) | primas. Quod si quis non | paruerit, sciat me, quid|quid contra edictum me||um retentum fuerit, | in commissum vindica-| turum, delatoribus prae|mi nomine octava por|tione constituta.

Cum || autem adfirmatur mihi ante | hanc hibernae asperitatis per|severantiam octonis et | novenis assibus modium fru|menti in colonia fuisse || et iniquissimum sit famem | civium suorum praedae cui|quam esse, excedere sing(ulos) | (denarios) sing(ulos) modios pretium | frumenti veto.

l. 11. b(ono) te(mpori), *Robinson*: B (*in margin*), et, *Ramsay*.

This inscription was discovered at Pisidian Antioch. The second column, containing the edict of Antistius Rusticus, is reproduced above. Prior to publication Professor D. M. Robinson kindly furnished us with the text and notes on the document. He believes that the famine referred to in the edict may be associated with that referred to in *Revelation* vi. 6, *cf.* Reinach, *Rev. Arch.* 39 (1901), 350 *ff.*

The local magistrates of Antioch had been unable to meet the situation caused by the famine and consequent hoarding of grain by farmers and speculators. They appealed to the governor for legislation to compel the merchants and producers to sell. The edict is an early example of imperial interference in the regulation of prices in provincial towns. Although the famine must have been widespread, it may be noted that the edict does not apply to the whole province, but deals only with conditions in the city which presented the petition. Similarly in the reign of Trajan, Pliny and the emperor dealt with each city in Bithynia individually. The confession of impotence on the part of the magistrates of Antioch may have been a factor in the development of the policy of appointing *curatores rei publicae* to deal with problems of municipal government a few years later. For regulations in regard to control of local markets, *cf.* nos. 90 and 91.

Antioch was probably founded as a Roman colony prior to 27 B.C. although Ramsay favors a later date (*cf.* *R.E.* 4, 531 *f.*; Ramsay, *Journ. Rom. Studies*, 6 (1916), 83 *ff.*). In the proclamation of the governor the chief magistrates and members of the local senate are styled by titles current in the West rather than by the Greek equivalents. The use of the Latin language in the eastern provinces for the edict of governors is rare (*cf.* no. 22). The Roman calendar and the Roman system of weights and coinage were also used. It may be noted that a distinction is made between *coloni*, who were probably descendants of the veterans settled there by Augustus, and the *incolae*, who probably represent the original members of Antioch. In the time of Domitian the two classes had not yet been placed on an equal footing politically, *cf. Journ. Rom. Studies*, 8 (1918), 107 *ff.*

## 66. TITULUS HONORARIUS

(81–96 p. Chr.)

*CIL.* II, 1945; Dessau, 1982.

Imp. Domitiano | Caesari | Aug. Germanico | L. Munius Quir. || Novatus et | L. Munius Quir. | Aurelianus | . f. c. R. per h*ono*rem | II vir. consecuti || d. s. p. d.d.

Found at Iluro in Baetica. On the grant of Roman citizenship on election to a local magistracy (*civitatem Romanam per honorem duoviratus*), *cf.* pp. 191 *ff.*

## 67. TITULUS HONORARIUS

(96–97 p. Chr.)

*B.C.H.* 44 (1920), 73; *An. ép.* 1922, no. 30.

*Ὁ δῆμος ἐτείμησεν ταῖς δευτέραις | τιμαῖς Μᾶρκον Κοκκήιον Νέρουαν | τὸν αὐτοκράτορα ὕπατόν τε ἀποδεδει|γμένον, εὐεργέτην καὶ πάτρωνα καὶ σω||τῆρα γεγονότα τῆς πόλεως, ἀποκαθεστα-|κότα δὲ ἡμῖν καὶ τὴν πάτριον ἐλευθερί|αν τε καὶ πολειτείαν, ἐπαίνωι, χρυσῶι | στεφάνωι ἀριστείωι, εἰκόνι χαλκῆι ἐφίπ|πωι, προεδρίαι ἐν τοῖς ἀγῶσιν, ἀρετῆς || ἕνεκα καὶ εὐνοίας καὶ εὐεργεσίας τῆς | εἰς ἑαυτόν.*

From Lagina in Caria. Lagina (Stratonicaea) was given freedom and autonomy by a decree of the Roman senate in 81 B.C. (no. 17). The city still enjoyed these privileges in the time of Pliny the Elder (*N.H.* 5. 109), and probably lost them as a result of the fiscal reforms of Vespasian. From this document we learn that Nerva restored the former privileges. It may be doubted whether Vespasian made any change in the municipal constitution when he cancelled the immunity from tribute, and the restoration of the ancestral πολιτεία ascribed to Nerva probably means nothing more than a return to the former status of Stratonicaea in the empire.

## 68. EPISTULAE LABERI MAXIMI ET ALIORUM DE FINIBUS HISTRIANORUM

(43–100 p. Chr.)

*An. ép.* 1919, no. 10; *Annales de l'académie Roumaine*, 38, no. 15; Wilhelm, *Anzeiger der Akad. der Wissen. in Wien*, 59 (1922), 78 *ff.*; *Suppl. Ep. Gr.* 1, 329.

῾Οροθεσία Λαβερίου Μαξίμου. |

Fines Histrianorum hos esse con*stitui*. . . . . . . . . . . *Pe*|ucem lacum Halmyridem a do*minio*. . . . . . . . . . . . . . | Argamensium inde iugo summo. . . . . . . . . . . . . . *ad c*||onfluentes rivorum Picusculi et Ga*brani inde ab im*|o Gabrano ad capud eiusdem inde. . . .*iuxta rivum* | Sanpaeum inde ad rivum Turgiculum. . . . . . . . . .| a rivo Calabaeo milia passuum circit*er* D. VI. . . . . . |

᾿Επιστολὴ Σαβείνου. ||

Φλάβιος Σαβεῖνος ᾿Ιστριανῶν ἄρχουσ[ιν], βουλῆι, δήμωι | χαίρειν. Τὸ περὶ Πεύκην ὑμεῖν δίκαιο[ν ὅπως] ἀκέραιον δι|ατηρηθῆι, ἔσται ἐπιμελὲς ᾿Αρουντίωι Φλά[μμαι] τῶι ἐπάρχωι. Οὕ|τως γὰρ αὐτῶι ἐπέστειλα. Λαλήσω δὲ καὶ Αἰμιλιανῶι διαδόχωι | μου καὶ εἰς τὸ παντελὲς συστήσω ὑμᾶς. Ἄλλη ἐπιστολὴ || τοῦ αὐτοῦ Σαβείνου. Φλα. Σαβεῖνος π[ρεσβευτὴς] ᾿Ιστρι|ανῶν ἄρχουσιν, βουλῆι, δήμωι χαίρειν. Καὶ εἰ καὶ [τ]ὸ τῆς κατὰ τὸν | Ἴστρον ὄχθης τέλος μέχρις θαλάσσης διήκει καὶ ἐκ το|σούτου διαστήματος ἀφέστηκεν ἡ πόλις ἀπὸ τῶν τοῦ | ποταμοῦ στομάτων ὅμως ἐπεὶ καὶ οἱ πρέσβεις ὑμῶν || διεβεβαιοῦντο καὶ ᾿Ασιατικὸς ὁ ἔπαρχος ἔλεγε σχεδὸν | ἐκείνην μόνην εἶναι τῆς πόλεως πρόσοδον τὴν ἐκ τοῦ | ταρειχευομένου ἰχθύος, ἔδοξα δεῖν ὑμεῖν κατὰ τὴν [ὑμετέ]|ραν συνήθιαν μένειν τὴν αὐτὴν ἄδειαν τοῦ τε ἁλιεύ[ειν] | ἐν τῶι Πεύκης στόματι καὶ τοῦ παραφέρειν τὴν δᾶ̣δα || εἰς τὴν ἑνὸς ἑκάστου χρείαν δίχα τέλους· περὶ | γὰρ τῶν τῆς ὕλης χρειῶν ἀναμφισβήτητα ἔχετε ὅρια | καὶ τὴν ἐξ ἐκείνων χρῆσιν πᾶσαν τῶι τέλλει [ἀν]υπεύθυνον. |

᾿Επιστολὴ Πομπωνίου Πείου. |

Πομπώνιος Πεῖος ᾿Ιστριανῶν ἄρχουσιν, [βουλῆι, δήμωι χα]ίρειν. || Καὶ ἐκ τῶν γεγραμμένων ὑμεῖν ὑπὸ Φλ. Σαβείνου [καὶ Αἰμιλι]|ανοῦ ἀνδρῶν ἐπισημοτάτων [καὶ ἐ]μοὶ τειμιω[τάτων ἦν ἀντι]|λαβέσθαι ὅτι ἡ ἀσθένια τῆς πόλεως ὑμῶ[ν προνοίας

τυγχάνει· πρὸ οὖν] | πάντων φροντίζοντος τοῦ θειοτάτου [Καίσαρος καὶ ὡς ἀληθῶς σωτῆ]||ρος ἡμῶν, ἵνα μὴ μόνον διαφυλαχθῆι ἀλ[λὰ καὶ αὐξηθῆι] || τὰ τῶν πόλεων δίκαια, ἐπέκρεινα τὴν τ[ῶ]ν κ[ατὰ στόμ]α Πε[ύκη]ς ἁλι|ευομένων ἰχθύων πρόσοδον ὑμετέραν εἶναι, [ὧι] δικαίωι ταῦ|τα τὰ τέλη οἱ πρόγονοι ὑμῶν καὶ πατέρες [τῆι] χάριτι τῶν Σε[βαστῶ]ν | ἀδιαλείπτως ἔσχον. Ἄλλη ἐπιστολὴ Πλαυτί[ου Αἰλι]ανοῦ. | Πλαύτιος Αἰλιανὸς Ἰστριανῶν ἄρχουσιν [χ]αίρειν. || Τὸ ψήφισμα ὑμῶν ἀπέδοσάν μοι οἱ πρέσβει[ς Κ]αλλίστρατος | Δημητρίου καὶ Μειδίας Ἀρτεμιδώρου. Ἠξιοῦτε δὲ διὰ τοῦ ψη|φίσματος παραπεμφθῆναι τὴν εὐχαριστοῦ[σ]αν [τῶι] τειμιωτάτωι | ἡμῶν Σαβείνωι πρεσβείαν, ὃ καὶ δι' αὐτὸν μόνον τὸν Σαβεῖνον [ἀ]|σμένως ἂν ἐποίησα. Ἠξιοῦτε δὲ καὶ τὰ τῆς Πεύκης ὑμε[ῖν] ἄθραυσ||τα τηρεῖν δίκαια. Ἐγὼ δὲ τοσοῦτον ἀπέχ[ω] τοῦ θραῦσαί τι τῶν ἐκ | χρόνου φυλασσομένων ὑμεῖν δικαίων, ὡς καὶ παρευρεῖν ἂν ἡδέ|ως δι' ὧν ἐνέσται κοσμεῖν ἀρχέαν πόλιν καὶ Ἑλληνίδα καὶ εἰς τὸν Σ[ε]βα|στὸν εὐσεβῆ καὶ πρὸς ἡμᾶς αὐτοὺς οὖσαν εὐσ[ε]βῆ. |

Ἐπιστολὴ Τουλλίου Γεμίνου. ||

Τούλλιος Γέμινος πρεσβευτὴς καὶ ἀντιστράτηγος Τιβ. Κλα(υ)δί|ου Καίσαρος Σεβ. Γερμανικοῦ Ἰστριανῶν ἄρχουσιν, βουλῆι, δήμωι | χαίρειν. Οἱ πρέσβεις ὑμῶν Δημήτριος Χαβρίας Χαιρήμων Δημήτριος Αἰσχρίων Τα.[. . .] [Με]ιδίας | Διονυσόδωρος Ἡγησαγόρας Ἀρισταγόρας Μ[ητρόδωρ]ος ἐν|τυχόντες μοι ἐν Τόμει τὸ ψήφισμα ὑμῶν ἐπέδοσαν καὶ εἰς τὸν Σ[εβα]σ||τὸν ἡμῶν ἐπιδειξάμενοι εὔνοιαν συνήσθησαν ἐ[πὶ τῆι] ἡμετέραι ὑ[γιεί]|αι καὶ παρουσίαι σπουδεστάτην ποιησάμενοι τὴν [περὶ ὧν ἐνετείλασ]||θε αὐτοῖς ὁμειλίαν. Ἐπιγνοὺς οὖν (τ)ὴν καὶ πρὸς [ἡμᾶς αὐτοὺς τῆς] | πόλεως ὑμῶν διάθεσιν πειράσομαι ἀεί τινος ὑ[μεῖν ἀγαθοῦ] | γενέσθαι παραίτιος. Περὶ δὲ Πεύκης καὶ τῶν στομ[άτων διδαχ]θε||ὶς ὑπὸ τῶν πρέσβεων ὑμῶν ἐδικαίωσα τηρῖσθαι ὑμεῖν τ[ὰ τῶν προ]||γόνων ὑμῶν ὅρια.

Exemplu*m epistulae* | Mari Laberi Maximi, leg. Aug. pr. pr. | Imp. Caesari Traiano Aug. Germani*co III Iulio Fron*|tino III cos. VIII ka. Novembres. *Descriptum* || et recognitum factum ex comm. M*ari Laberi* | Maximi leg. Aug. pr. pr. Permitt. . . . .| Fabio Pompeiano. Quae iam era .scri. . . . . . . .| Charagonio Phicora-

laestro con*ductore publici por*|tori ripae Thraciae postulante u*t vectigal Hal*||myridis et Peuci daretur secund*um veterem legem*? | . . . . . . bit. Ius exigendi porto*ri* . . . . . . . . |. . . . . . arum dimensium usque *ad* . . . . . . . . . . |

This document contains the letters of several governors of Moesia to the officials of the town of Histria. Laberius Maximus was governor in 100, Tullus Geminus in 54, Plautus Aelianus in 52–53, Pomponius Pius in 51, Aemilianus in 50, and Flavius Sabinus in 43–49. From the frequency of the letters, we may infer that the privileges of the city in regard to their monopoly of salt fish, their forest rights, and even the extent of their *territorium*, were being constantly called in question, probably by the agents of the imperial *fiscus*. From this document we also learn that the chief source of revenue of the city came from its fishing privileges, but there is no evidence to prove that these were a municipal monopoly, leased out to its residents.

## 69. DECRETUM CHIORUM DE PECUNIA ADMINISTRANDA

(saec. 1 p. Chr.)

Cagnat, *IGRR*. 4, 948.

*. . . . . . . [εἶναι τὴν δάνεισιν | τοῦ χρήματος] ἅπα[ντο]ς, [οὐδενὸς ἔχοντ]||ος ἐξουσίαν τῶν δαν[ειστῶν] . . . . . . | καταβολὴ[ν] ποιήσασθαι οὐδ[εμίαν τοῦ] ἀργ||[υ]ρίου καὶ τῶν ἐπακ[ο]λου[θ]ούντων τόκ[ων πρὶν ἢ | τ]ὸ διελθεῖν τὴν πενταετίαν. Αἱρε[θῆναι | δὲ] ἄνδρας ὀκτὼ ἐν ταῖς ἀρχαιρεσίαις [ἐπὶ] τ[ὸ|ν] δανει[σ]μὸν τῶν χρημάτων μετὰ τὴν αἵρ[εσιν τοῦ | ἀγω]νοθέτου τῶν Σεβαστῶν ἀγώνων. Ἔ[πειτα δ]ὲ || τὴν μεταπαράδοσιν γείνεσθαι ὑπὸ τῶν τετε[λε]|κότων τὴ[ν] χρείαν ἀνδρῶν διὰ ἀπογραφῆς τῆ(ι) ἐνά|[τη](ι) τῆ(ι) τοῦ Ποσειδεῶνος, [ἐ]σομένης ἀ[ντ]απ[ο|γ]ρα[φῆς] ὑπ[ὸ τῶν] παραλα[μβαν]όντ[ω]ν, πα[ντὸ]ς | τοῦ χ[ρή]ματος ἐσομένης τῆς δ[ανείσ]εως κα||[θ]ότι π[ρογέγ]ραπτ[αι, προ]καταβαλούντων τούτ[ων] | καὶ τῶ[ν ἀ]εὶ χειρ[ο]τ[ο]νη[θ]ησομένων ἀ[νδρ]ῶν τ[ὴν | τ]οῦ πρώ[του ἔ]τους π[ρόσο]δον πρ[ὸ ἡμερ]ῶν τρ[ιῶν | τῆς] τοῦ Σ[εβαστ]οῦ Γερμανικο[ῦ Καίσα]ρος ἡμέ[ρας | γε]νεθλί[ο]υ δει[νά]ρια θχ′ · κα[ί, ἐ]ὰν ἐμβόλιμος ἄγη||ται μήν, καὶ τ[ού]του προσκαταβαλλό⟨ν⟩ντων . . . . . . . .*

This inscription from Chios is important for the regulation of endowment funds given to the city. Eight men are chosen to administer the trust, which is to accumulate for four years. Then the accumulated interest is to be paid to the proper officials. In the case of similar endowments, *e.g.* that of Salutaris at Ephesus (no. 71), the consent of the provincial governor was sometimes secured. Such a provision may have been found in the portion of the decree which has disappeared.

## 70. SMYRNAEORUM PORTARIA

(saec. fere I vel II p. Chr.)

*I.B.M.* 1021; Ditt. *Syll.*³ 1262; Cagnat, *IGRR.* 4, 1427.

*....τη[ιε]ι.........δια...... | [τ]οὺς πολλοὺς κω[λύο]υσι*
*[κοι|ν]ωνεῖν τῆς πορθμείας, πρ[ὸς] | δὲ τούτοις ἀντὶ δύο ὀβο-*
*λ[ῶν] || δύο ἀσσάρια πεποιήκασι τ[ὸν] | ναῦλον, δι' αὐτὸ τοῦτο* 5
*καὶ σ[υν]||εστηκότες καὶ κωλύοντες | τὸν βουλόμενον πορθμεύ-*
*[ειν, | ὅ]πως ἐπάν[αγ]κες αὐτοῖς οἱ [δε||ό]μενοι τῆς πορ[θμ]είας* 10
*χρῶ[ν|τ]αι· ὁμοίως δὲ κ[αὶ] περὶ τὰς ἄ[λ|λ]ας πορθμείας κα-*
*κουργοῦσ[ι κ|α]τὰ ταὐτά· ἔδοξε τῆι βουλῆι κ[αὶ | τῶ]ι δήμωι,*
*καθὰ εἰσηγή[σατο]................*

From Smyrna. The document is apparently a decree of the city regulating the ferry traffic across the Hermus. Not enough of the inscription is preserved to enable us to determine whether the city was concerned in the regulation of the traffic because of a possible loss of revenue (*cf.* no. 128 where the ferry was a civic monopoly), or from a desire to keep the peace.

## 71. EPISTULA AQUILI PROCULI, PROCONSULIS ASIAE, AD EPHESIOS

(104 p. Chr.)

*I.B.M.* 481 (pt. IV, p. 246, ll. 336 *ff.*); Laum, *Stiftungen*, 74.

*['Ακουίλλιος Πρόκλος, ὁ λαμπρό]τατος, 'Εφεσ[ί]ων ἄρχ[ουσι,|*
*βουλῆι, δήμωι] χαίρειν. | [Οὐείβιον Σαλουτάριον ὄντ]α τοῖς τε*
*ἄλ[λο]ις πᾶσι[ν | πολείτην ἄριστον καὶ πρό]τερον ἐν πολ[λοῖ]ς*
*τῆς ἑαυ||[τοῦ φιλοτειμίας πολλά τε καὶ οὐ]χ ὡς ἔτυχεν π[αρε]-* 340
*σχημένον | [παραδείγματα εἰδώς, ὥσπερ] ἦν ἄξιον, ἐν τοῖς*

[οἰκ]ειοτάτ[οις | ἡμῶν εἶχον φίλοις· νῦν δέ, ἐ]πεὶ τὴν μὲν πό[λιν
προήιρ]ηται | [μεγίστοις τε καὶ ἀξιολογω]τάτοις δώροι[ς κοσ]-
μῆσαι με|[γαλοπρεπῶς εἰς τειμὴν τῆς] τε ἐπιφαν[εστάτη]ς καὶ
345 μεγίσ||[της θεᾶς Ἀρτέμιδος καὶ τοῦ] οἴκο[υ τῶν Σεβαστ]ῶν καὶ
τῆς | [ὑπετέρας πόλεως, τοῖς δὲ πολείταις εἰς διανο]μὰς καὶ
κλή|[ρους καθιέρωκε δην. δισμύρια, νομίζω καὶ ὑμᾶς,] ἐφ᾽ οἷς ἤδη |
[πεποίηκεν ὑμεῖν καὶ νῦν ἐπανγέλλεται ἀγαθοῖ]ς, χρῆναι τῆι τε |
[φιλοτειμίαι αὐτοῦ ἀνταποδοῦναι καὶ τῆι εὐμεν]είαι, ἃ πρὸς ||
350 [τειμὴν αὐτοῦ ἐψηφίσατε. Συνήδομαι δ᾽ ὑμεῖν εἰς τὸ ἐπαι]νέσαι
τε τὸν | [ἄνδρα καὶ ἀξιῶσαι αὐτὸν δικαίας παρ᾽ ἡμεῖν] μαρτυ-
ρίας | [πρὸς τὸ καὶ πλείους γενέσθαι τοὺς κατὰ τὰ] δύνατα
προ|[θυμουμένους εἰς τὰ ὅμοια. Τὰ δὲ ὑπ᾽ αὐτοῦ καθιε]ρούμενα
χρή|[ματα καὶ τὰ ἀπεικονίσματα τῆς θεοῦ καὶ τὰς] εἰκόνας η
355 τισ||[. . . . . . . . . . | . . . . . ]χε[. . . . .]αισ[. . . . . . | .]εταιονδε
[. . . . . .]εχρησ[. . . . . . | .]ε οὐδένα β[ούλομαι νυ]νὶ τρόπ[ωι
οὐδενὶ οὔτε παρευρέσει οὐ|[δ]εμιᾶι μετ[αβαλεῖν ἢ π]αραλλά[ξαι
360 τι τῶν ὑπ᾽ αὐτοῦ διατεταγμέ||[ν]ων· εἰ δ[έ τις ἐπι]χειρή[σ]ει ἢ
λῦσ[αι ἢ παραλλάξαι τι τῶν | ὑ]φ᾽ ὑμῶ[ν διὰ το]ύτου τ[οῦ
ψηφίσματος κυρωθησομένων | ἢ] εἰσ[ηγή]σασθαί τι τοιο[ῦτον
πειράσει, ὑποκείσθω εἰς προσ|κ]όσ[μ]ησιν τῆς κυρίας Ἀρτέ-
μιδ[ος δη. β̄ μ(υρίοις) ε̄ καὶ εἰς τὸν ἱερ|]ώτατον φίσκον ἄλλοις
365 δη. [δισμυρίοις πεντακισχειλίοις καὶ || οὐ]δὲν ἔλαττον ἔστω
ἄκουρον [ἅπαν τὸ παρὰ τὴν] καθιέ[ρωσιν. Συν|ή]δο(ι)μ[α]ι δὲ
αὐτῶι εἰς τὸ πᾶσιν [νῦν φανερὰν γενέ]σθαι τ[ήν | τ]ε πρὸς τὴν
θεὸν εὐσέβεια[ν καὶ τὴν πρὸς τοὺς Σε]βαστο[ὺς | κ]αὶ τὴν πρὸς
τὴν πόλιν ε[ὐμένειαν αὐτοῦ ἐν τῶι] θεάτρωι. | Ἔρρ[ωσθε].

From Ephesus. Of the great inscription which records the endowment founded by Vibius Salutaris for the benefit of his fellow-citizens at Ephesus, we have given only the letter of the governor ratifying the gift and naming the penalty imposed on anyone who should seek to void or disregard the provisions of the foundation. We rarely find a record of such ratifications by imperial officials (*cf.* Laum, *op. cit.* nos. 19*b*, 162, 206), and the act was probably unnecessary, but the submission of the terms of the gift to the emperor or to the governor was inspired by motives of vanity and by a desire to bring the individual or the city to the notice of the central government. This procedure gave an excellent opening for

imperial interference in municipal matters, and undoubtedly led to the development of paternalistic tendencies. In general, endowments which provided for the distribution of money to citizens were deprecated (*cf.* no. 101; Pliny, *Epp. ad Trai.* 116, 117). Since Salutaris provided that 450 denarii should be distributed annually to the senators at the rate of a denarius apiece, we learn that the Ephesian senate normally had 450 members at this period (*cf.* the commentary of the editors of the *I.B.M. ad loc.*). Laum points out that fully half of the endowment assigned to provide a dole to the six tribes at Ephesus had disappeared or had been diverted to other uses within a few years after the foundation (*op. cit.* 1, 222 *f.*).

## 72. TITULUS OPERIS PUBLICI

(111 p. Chr.)

*An. ép.* 1904, no. 59.

*Imp. Caesar* | *divi Nervae f.* | *Nerva Tra*ianus | *Aug. Ger*manicus || *Dacicus pont.* maximus | *trib. pot. XV imp. VI cos. V* | *p. p. redacta in form*am | *provincia* Arabia | *Viam N*ovam a finibus || *Syriae* usque ad | *Mare Rubru*m aperuit | *et stravit per* C. | *Claudium* Sever*um* | leg. pro pr. || CLXVI.

This inscription and no. 103 record the completion of public works under the order of the emperor for the benefit of provincial communities. For a similar inscription of an earlier date, *cf.* no. 31.

## 73. SENATUS CONSULTUM ET EPISTULA TRAIANI AD PERGAMENOS DE LUDIS INSTAURANDIS

(112–117 p. Chr.)

*CIL.* III, *S.* 7086; Cagnat, *IGRR.* 4, 336; *Alterthümer von Pergamon*, VIII, 2, 269.

(*Primi versus omissi sunt*)

[Ἐπὶ . . . . . . . . . . . . . *στρατηγοῦ καὶ* . | . . ] *ο*[*υ*] Κλαυδίου Σειλα*νοῦ ἀρχιερέως* | . . . . . cos . . . . . . . . . ias s. c. factum de postulatione *Pergamenorum*(?) | *placere ut certamen illud*, quod in honorem templi Iovis amicalis et | *Imp. Caes. divi Nervae f. Ner*vae Traiani Augusti Germanici Dacici || *pontificis maximi est consti*tutum *εἰσελαστικὸν* in civitate | *Pergamenorum, eiusdem con*dicionis sit, cuius est quod in honorem Romae | *et Divi Aug. ibi agitur, ita* ut ea impendia, quae propter id certamen | *fieri oportebit, cedant in* onus Iuli Quadrati clarissimi viri. | . . . . . . . . *eorumque a*d quos ea res pertinebit. || [Κεφαλαῖον ἐκ τ]ῶν Καίσαρος ἐντολῶν. | *Cum secundum meam c*onstitutionem certamen in civitate | *Pergamenorum ab Iulio Quadrato a*mico clarissimo viro quinquennale, | *quod dicitur* εἰσελαστικόν, *c*onstitutum sit idq. amplissimus ordo | *eiusdem iuris esse decreveri*t, cuius est quod in eadem civitate || *in honorem Romae et divi A*ug. institutum est, huius quoq. ise(l)as|*tici idem quod in altero* certamine custoditur dare oportebit | *victoribus praemium.* | [Αὐτοκράτωρ Καῖσαρ Θεοῦ Νερούα υἱ]ὸς Νέρουας Τραϊανὸς Ἄριστος | [Σεβαστὸς Γερμανικὸς Δακικός, ἀρ]χιερεὺς μέγιστος, δημαρχικῆς || [ἐξουσίας τὸ ι., αὐτοκράτωρ τὸ . ., ὕπα]τος τὸ ϛʹ, πατὴρ πατρίδος, | [Περγαμηνῶν τῆι βουλῆι καὶ τῶ]ι δήμωι χαίρειν. | [Ἐλθούσης ὑμῶν πρεσβείας, ἀποδεξά]μενος αὐτῆς τό τε ἀξίωμα | [καὶ τὰ συγγράμματα, περὶ πάντων ἃ ἐν αὐτ]οῖς ἠξιώσατε συγκατεθέμην | [. . . . . . . . . . . . . . . . . μ]ε[τ]άσχοιτε, ἐπιτρέπω οὖν ὑ||[μῖν . . . . . . . . . . . . . .]λόντων ἐν ἀγοραίοις | [. . . . . . . . . . . . . . . . . . . .] τῶν θεωριῶν ὡρισμένον | . . . . . . . . . . . . . . . . ὁρῶ [δ]ὲ καὶ τὰς ὑπο . . . . . . . . . . . . . .

From Pergamum. This inscription deals with the relations of a senatorial province to the emperor and senate. When Julius Quadratus wished to establish games in honor of Trajan in Pergamum, the emperor was apparently consulted first. He referred the matter to the senate, and when they approved the request, the emperor issued the edict instead of the senate (*secundum meam constitutionem*). He also confirmed the senate's action in making the games equal in rank to those in honor of Augustus. The letter of Trajan in Greek is too fragmentary to permit an accurate interpretation, but it apparently deals with some remission of the market-tax during the games. If so, the tax was probably an imperial one levied in a senatorial province. For Julius Quadratus, *cf.* Waddington, *Fastes des provinces asiatiques*, 114.

## 74. EPISTULA PROCURATORUM AD COLONOS VILLAE MAGNAE

(116–117 p. Chr.)

Bruns, 114; Girard, p. 870; Riccobono, p. 352.

*Pro sal*ute | Aug(usti) n(ostri) im*p*(*eratoris*) Caes(aris) Traiani princ(*ipis*) | totiusque domus divine | *o*ptimi Germanici Pa*r*thici. Data a Licinio || *Ma*ximo et Feliciore Aug(usti) lib(erto) procc(uratoribus) ad exemplu*m* | *leg*is Manciane. Qui eorum *i*ntra fundo villae Mag|ne Variani id est Mappalia Siga *habitabunt*, eis eos agros qui su|*b*cesiva sunt excolere permittitur lege Manciana | . . .ita ut eas qui excoluerit usum proprium habe||at. Ex fructibus qui eo loco nati erunt, dominis au*t* | conductoribus vilicisve eius f(undi) partes e lege Ma|nciana prestare debebunt hac condicione: coloni | fructus cuiusque culture quos ad area*m* deportare | et terere debebunt, summas de*fer*ant arbitratu || *s*uo conductoribus vilicis*ve ei*us f(undi) et si conducto|res vilic*i*ve eius f(undi) in assem par*tes col*(on)icas datur|as renuntiaverint tabellis*que obsignatis*. . .f s cavea|nt eius fructus partes, qu*as prest*are debent, | conductores vilic*i*ve eius *f*(*undi*) *colo*ni colonic||as partes prestare debeant. Qui in f(undo) villae Mag|nae sive Mappalia Siga villas habent habebunt | dominicas *dominis* eius f(undi) aut conductoribus vilicisv*e* | eorum in assem partes fructu*u*m et vinea*ru*m ex | consuetudine Manciane cu*i*usque gene||ris habet prestare debebunt; tritici ex a|ream partem tertiam, hordei ex aream | *part*em tertiam, fabe ex aream partem qu|*ar*tam, vinu de laco partem tertiam, ol|*ei co*acti partem tertiam, mellis in alve||*is* mellaris sextarios singulos. Qui supra | quinque alveos | habebit in tempore quo *vin*|demia mellaria fu*it fuerit*, | dominis aut conduct*oribus vili*||cisve eius f(undi) qui in assem *partem*. . . | d(are) d(ebebit). Si quis alveos, examina, apes, *vasa* | mellaria ex f(undo) villae Magne sive M|appalie Sige in octonarium agru*m* | transtulerit, quo fraus aut dominis au*t* || conductoribus vilicisve eis quam fiat, al*v*|*ei*, exam*ina*, apes, vasa mellaria, mel qui in *eo f*(*undo*) | erunt conductor*um vil*icorumve in assem e*ius* | f(undi) erunt. Ficus aride arbor*esve aliaeq*ue extra poma|rio erunt, qua pomariu*m in*tra villam ipsam || sit, ut non amplius iu*sta vindemia fi*at, colo*n*|us arbitrio suo co*actorum fructuu*m con*ducto*|ri vilicisve

eius f(undi) par*tem tantam d*(*are*) *d*(*ebebit*). Ficeta ve*te*|ra et oliveta,
que ante ha*nc leg*em *sata sunt*, *ex* consuet*u*|din*e* fructum conductori
20 vilicisve eius presta*re* || debea*n*t. Si quod ficetum postea factum erit,
eius fic*eti* | fruc*t*um per continuas ficationes quinque | arbitrio suo
*ei* qui serverit percipere permittitur, | post quintam ficationem eadem
leg*e* qua s(upra) s(criptum) est | conductoribus vilicisve eius f(undi)
25 p(restare) d(ebebit). Vineas serere || colere loco veterum permittitur
ea condicione *ut* | ex ea satione proxumis vindemi*s* quinque fructu*m* |
earum vinearum is qui ita *secuerit* suo arbitr*i*o per|cip*i*at itemque
post quinta(m) vindemia(m) quam ita sata | erit, fructus partes
30 tertias e lege Manciana conduc||toribus | v*ilicisve* eius in assem dare
Col. III debe|*bit*. Olivetum serere colere in | eo loc*o* qua quis incultum
5 excolu|erit permittitur ea condicione u||t ex ea satione eius fructus
oliveti q|uid ita satum est per olivationes pro|ximas decem arbitrio
suo *percipe*|re debeat, item post olivationes (decem) ole*i* | coacti
10 partem tertiam *c*onducto||ribus vilicisve eius f(undi) d(are) d(ebebit).
Qui inserue|rit oleastra post *olivationes qui*nque par|tem tertiam
d(are) d(ebebit)........in f(undo) | ville Magne Var*iani* si*ve*
15 Mappaliae | Sige sunt eruntve ex*tra eo*s agros qui || vicias habent,
eorum a*gr*orum fruct|*us* conductoribus vilicisv*e e*ius d(are) d(ebebunt);
custodes e|xigere debebu*nt*. Pro pecora*que i*ntra f(undum)
ville M|agne sive Mappalie Sig*e* pascentur, in pectora sin|gula aera
20 quattus conductoribus vilicisve do||minorum eius f(undi) prestari
debebu*n*t. Si quis ex f(undo) ville | Magne *siv*e Mappalie Sige
fructus stantem pen|dentem, maturum inmaturum cae*cide*rit,
excider|it, exportaverit deportaverit conbuserit desequer|it seq*uentis*
Col. IV *bi*enii detrimentum conductoribus vilicisve eius f(undi) | coloni erit
ei cui de.... | tantum prestare d(ebebit). *Si qui in f*(*undo*) *ville*
*Mag*|ne siv(e) Mappalie Sige *arbores frugiferas se*|verunt severint *iis*
5 *eius superficiei usum* || qui e legitimo....... | testamen..........
*sup*|erficies...hoc tempus lege Ma*nciana* | ritu...fiducieve data
sunt dabuntur...*id* | ..ve ius fiduciae lege Manciana serva*bitur*...
10 *Qui* || superficiem ex inculto excoluit excoluer*it ibique* | ...aedificium
deposuit posuerit *is*ve qui *coluit colere* | desierit perdesierit eo
tempore, quo ita ea superfic*ies* | coli desit desierit, ea quo fuit fuerit
ius colendi dumtaxa|d bienn*i*o proximo ex qua die colere desierit
15 servatu*r* || servabitur; post biennium conductores vili*c*ive eor*um*... |

Ea superficies que proxumo anno *c*ulta fuit et coli *desi*|erit conductor vilicusve eius f(undi) *ei cuius* ea superficies esse dicit|ur denuntiet superficiem cultam . . . . . . | denuntiationem denuntiatur . . . .testa. . . .— || o itemque in sequentem annum per*sis*tat ea sine quer*e*|*l*a eius f(undi) post biennium conductor vilicusve co*lere de*|beto. Ne quis conductor vilicus*ve eoru*m inquilinum *eius* | f(undi). Coloni qui intra f(undum) ville Magne *sive* Mappalia Sige habit|abunt dominis aut conduct*oribus vilicisve* in assem *qu*||odannis in hominibus *singulis in arati*ones ope|ras n(umero) II et in messem op. . . . . . . .generis | singulas operas bin*as* pr*estare debebunt*. Coloni | inquilini eius f(undi) intra. . .anni n|omina sua conductor*ibus vilicisve*. . . .*in* custo||dias singulas qu. . . . . . . . . . . . .nent | ratam seorsu*m*. . .um. | Stipendiario*rum qui in f*(*undo*) *ville Magne sive M*appa|lie Sige habita*bunt*. . . .uas c|onductoribus vil*icisve*. . . cust||odias f(undi) servis dominic. . .nit est | (*quae sequuntur quinque lineae legi non possunt.*) *H*ec lex scripta a Luro Victore Odilonis magistro, et Flavio Gem|inio defensore; Felice Annobalis Birzilis.

I, ll. 16–17. daturas; daturos se, *Rostowzew*.
I, l. 17. sine fraude sua; f s, *tablet*.
II, l. 10. eis quam; usquam *or* eis qu(i) (in) a(sse)m, *Gradenwitz*.
II, l. 13. arboresve aliae que, *Schulten*; arborum earum quaeque, *Rostowzew, taking* ficus aride *as a genitive*.
III, l. 12. in fundo, *tablet*; Qui agri herbosi in fundo, *Rostowzew*.
III, l. 23. desequerit = desecuerit, *Toutain*.
III, l. 24. fundi, *tablet*; *perhaps* fundi prestare debebit, *Schulten*.
IV, l. 1. coloni, *tablet*; Si culpa coloni, *Schulten*.
IV, l. 1. ei cui de. . . ; ei cui debet partes colonicas alterum, *H. Krüger*.
IV, ll. 5–6. *Gradenwitz remarks that the sense requires* qui e legitimo iure ad hereditatem eius venient vel testamento instituti heredes erunt.
IV, l. 8. ritu. . . ; pignori(s) t(itulo), *Gradenwitz and Dessau*; *Schulten gives sense of passage*: Si quae aedificia superficiesve post hoc tempus e lege Manciana pignori obligata fiducieve data sunt dabuntur eorum in biennium colono heredi eius fiducia e lege Manciana servabitur.
IV, ll. 16–22. *Schulten restores the sense as follows*: Ea superficies que proximo anno culta fuit et coli desierit conductor vilicusve eius fundi ei cuius ea superficies esse dicitur denuntiet superficiem cultam colendam esse; si post hanc denuntiationem denuntiatas cessare pergat itemque insequentem annum persistat, ea superficies sine querela eius post triennium conductor vilicusve eius fundi colere debeto.
IV, l. 19. *after* denuntiatur *Schulten finds on stone* essegabit *or* essechatis.
IV, l. 21. *Schulten thinks* eius fundi *belongs after* conductor vilicusve.

IV, l. 23. *after* fundi *Schulten conjectures that* plus quam. . . prestare cogat *has fallen out.*
IV, l. 26. *after* messem *Schulten proposes* operas n. . . et in sarritiones cuiusque.
IV, l. 29. *after* vilicisve *the words* eius fundi edere et operas *have been suggested.*
IV, l. 30. *after* singulas *the words* quas agris prestare debent *have been proposed.*
IV, l. 33. *after* vilicisve *the words* eius fundi prestare debeant *have been suggested. The words* Hec lex, *etc., stand at the bottom of the first column.*

An altar found in 1896 at Henchir Mettich in Tunis. The inscription is written on all four sides of it. For list of articles bearing on it, *cf.* Bruns, Girard, Riccobono, and Rostowzew, *Gesch. d. röm. Kol.* 322 *ff.* Trajan's title of Parthicus fixes its date. It contains, after a dedication of the altar to the emperor (ll. 1–4), a letter of the procurators. At the bottom of the first column stand the words *hec lex scripta*, etc., here printed at the end. The letter is addressed to the *coloni* of the villa Magna Variani sive Mappalia Siga (*cf.* col. I, ll. 6–7), and settles certain disputes between them and the *conductor*. There are three main points at issue: What part of the produce is due from the tenants? How many days' labor do they owe to the *conductor* each year? What rights have they in new land put under cultivation? Perhaps the general regulations of the *lex Manciana* (*cf.* pp. 17 *ff.*) on these points are at variance with local usage, and need to be modified. More probably, however, as in the case of the *saltus Burunitanus* (*cf.* no. 111), the *conductor* has been demanding more than the law allowed. At all events the procurators settle the dispute in this letter, in which they set forth, in a form adapted to the purpose and perhaps modified for the locality, the pertinent regulations of the law mentioned above. This document is engraved by the local representatives of the *coloni*, the *magister* and the *defensor* (*cf.* p. 19). The *lex Manciana*, being intended for all the estates within a given district, covers both imperial domains and such private estates as still exist. The *domini*, to whom frequent reference is made, are probably private owners, or possibly head-tenants (*cf.* Heitland, *Agricola*, 343). The *conductores* are agents in charge of imperial or private estates. The *vilici* are subordinate overseers. Outside of the administrative classes the document speaks of *coloni*, or regular tenants, *inquilini*, possibly landless residents on the estates (*cf.* Rostowzew, *op. cit.* 341; *cf.* however, Seeck, *R.E.* 4, 496), and *stipendiarii*, perhaps occupants of an *ager stipendiarius* within the limits of the *fundus* (*cf.* Rostowzew, *op. cit.* 341). This *ager stipendiarius* may be identical with the *ager octonarius* (II, l. 8), *i.e.* the land upon which eight *denarii* were to be paid for each acre (*cf.* Rostowzew, *op. cit.* 341). Licinius Maximus (I, ll. 4–5) seems to be the *procurator tractus Karthaginiensis*, and Felicior, the freedman, is procurator of the local *saltus*. Of the names mentioned at the bottom of the first column, Lurius Victor, the son of Odilo, is the local headman. The full title of *defensor* would probably be *defensor gentis*, although this official is not to be identified with the later *defensor civitatis* (*cf.* Toutain, *Nouv. rev. hist. d. droit fr. et étr.* 21 (1897), 389 *f.*). Whether Flavius Geminius or Felix, son of Birzil, and grandson of Annobal, holds this position is uncertain (*cf.* Toutain, *op. cit.* 23 (1899), 411–412; Schulten, *Abh. d. königl. Ges. d. Wiss. zu Göttingen, phil.-hist. Klasse, Neue Folge*, II, no. 3, p. 36). The main provisions of the document are these: The *coloni* may put under cultivation the *subseciva*, or small tracts of land not already cultivated (I, ll. 6–9). In return they are to pay the part of the produce fixed by the *lex Manciana* (I, ll. 10–20). Those who occupy farms, orchards, or vineyards, or keep bees must pay according to the *consuetudo Manciana* (I, l. 20–II, l. 6). Honey fraudulently taken to the *ager octonarius* (to avoid the usual payment?) will be confiscated (II, ll. 6–13). The rental in the case of dried figs and olives is determined by usage (II, ll. 17–20). Those who set out an orchard of fig trees or a vineyard may have all the figs or grapes for five years, but after that they must pay rental (II, ll. 20–30). An olive orchard planted on uncultivated ground is free for ten years (III, ll. 2–10); wild olive trees, put under cultivation, for five years (III, ll. 10–12). For each head of cattle four *denarii* are to be paid (III, ll. 17–20). If anyone damage or take away property, a penalty is fixed (III, ll. 20–24). Transfer of land is allowed on certain conditions (IV, ll. 2–9). After two years abandoned property goes to the overseers (IV, ll. 9–21). The *coloni* must render a certain number of days' work free, probably six, each year (IV, ll. 23–27). The *inquilini*, and probably the *stipendiarii*, must register (IV, ll. 27 *ff.*). From the fact that farms could be abandoned (IV, ll. 9–21), it would seem to follow that at the beginning of the second century tenants were free to leave an estate.

The rental, including, as it did in most cases, one-third of the produce of the land (I, ll. 25 *ff.*) and six days' labor on the private land of the contractor, seems rather high, but on the other hand the privilege granted to sub-tenants of bringing waste land under cultivation and of enjoying the entire return from it for a period of five or ten years, seems to show a desire to keep the *coloni* on the land and confirms the conclusion that they were at liberty to give up their holdings.

The small number of days' labor exacted of the tenants each year seems to indicate that slave labor was freely employed on this estate, although there is only one reference to slaves in the document (IV, l. 35), and although we should naturally suppose that there must have been a scarcity of slaves at this time in consequence of the comparatively small number of prisoners taken in foreign wars. For a fragmentary inscription dealing with the imperial domains, *cf. An. ép.* 1913, no. 72.

## 75. EPISTULA IMPERATORIS TRAIANI AD ASTYPALAEENSES

(117 p. Chr.)

Cagnat, *IGRR.* 4, 1031; *IG.* XII, 3, 175.

Αὐτοκράτωρ Καῖσαρ θεοῦ Τραϊανοῦ [Παρθικοῦ] | υἱός, θεοῦ
Νερούα υἱωνός, Τραϊανὸς [Ἁδριανὸς] | Σεβαστός, ἀρχιερεὺς μέγι-
στος, δημ[αρχικῆς | ἐξ]ουσίας, ὕπατος τὸ β', Ἀστυπαλ[αιέων τοῖς ||
5 ἄρχο]υσι καὶ τῆι βουλῆι καὶ τῶι δήμωι χαίρ[ειν. | Καὶ πα]ρὰ
τοῦ πρεσβευτοῦ ὑμῶν Πε[τρωνίου τοῦ | Ἡράκω]ντος καὶ ἐκ τοῦ
ψηφίσματ[ος ὑμῶν | ἔμαθον] ὅπως ἥσθητε διαδεξαμέν[ου ἐμοῦ |
10 τὴν πατ]ρώιαν ἀρχήν, ἐπαινέσας δ[ὲ ὑμᾶς || εἰ ἀληθ]ῶς τὴν
ἐλευθερίαν ὑ[μῖν ὁ πατήρ μου ἔδωκεν, αὐτὴν κατακυρώσας...

This inscription is engraved on the same stone as no. 36, and comes from Astypalaea. We have adopted the restoration proposed by Domaszewski (Ditt. *Syll.*$^3$ 832, note). Apparently the privileges granted to a state by any emperor were valid only during his reign, and had to be confirmed by his successors (*cf.* nos. 40, 130). Astypalaea had once been an ally of Rome (Chapot, *La prov. rom. proc. d'Asie*, 114), but it seems that its freedom and immunity from taxation had been curtailed (*cf.* no. 76).

## 76. EPISTULA IMPERATORIS HADRIANI AD ASTYPALAEENSES

(118 p. Chr.)

Lafoscade, 19; Cagnat, *IGRR.* 4, 1032 *c*; *IG.* xii, 3, 176; Ditt. *Syll.*$^3$ 832.

*Αὐτοκράτωρ* Καῖσαρ, *θεοῦ* Τραϊανοῦ Παρθικ[οῦ] | *υἱός, θεοῦ* Ν*ερούα υἱωνός*, Τραϊανὸς Ἁδριανὸς | Σ*εβαστός, ἀρχιερεὺς μέγιστος, δημαρχικῆς* | *ἐξουσίας, ὕπατος τὸ β′*, Ἀ*σστυπαλαιέων* || *ἄρχουσι καὶ τῆι βουλῆι καὶ τῶι δήμωι χαίρειν.* | Ἐ*ντυχὼν ὑμῶν τῶι ψηφίσματι, ὅτι μὲν ἀπο|ρεῖν φατε καὶ οὐ δύνασθαι τελεῖν τὸ ἐπαγγελ|τικὸν ἀργύριον ἐμάνθανον· οὐ μὴν ὁπό|σον τε τοῦτο οὐδὲ ἐκ πότε φέρειν αὐτὸ ἤρξασ[θε. . . .*

From Astypalaea. The liberty of the Astypalaeans had been taken away by the Flavian emperors and restored by Trajan (*cf* no. 75). From this document we learn that the *aurum coronarium* was paid by free cities as well as by others. This tax had been remitted by Hadrian in Italy and lessened in provincial cities (*Hist. Aug. Vit. Hadr.* 6). Apparently the payment of the tax had been a serious burden for the Astypalaeans, and they sent an embassy to the emperor to ask for its remission. *Cf. Ath. Mitt.* 48 (1923), 99 *ff.*

## 77. EPISTULA LEGATI AD POMPAELONENSES

(119 p. Chr.)

*CIL.* ii, 2959.

Claudius Quartinus | ii viris Pompel(*onensibus*) salutem. | Et ius magistratibus vestri | exequi adversus contumaces || potestis et nihilominus, qui | cautionibus accipiendis de|sunt, sciant futurum ut non | per hoc tuti sint. Nam et | non acceptarum cautionum peri||culum ad eos respiciet et quid|quid praesentes quoque egerint, | id communis oneris erit. Bene | valete. Dat(um) non(is) Octubri-

(bus) Ca|*l*lagori imp(eratore) Caes(are) Traiano || Hadriano Aug(usto) III co(n)s(ule).

Bronze tablet from Pompaelo in Tarraconensis. The last sentence fixes the date as A.D. 119. The writer's name in full is Ti. Claudius Ti. f. Pal. Quartinus (*cf.* Boissieu, *Inscr. de Lyon*, 284, no. 38). He was at this time *legatus* of Tarraconensis. The letter is written at Calaguris (or Callagoris) Nasica, the birthplace of Quintilian. Its interest lies in the fact that it seems to confirm the judicial competence of the local magistrates in the matter of requiring a *cautio* (*cf.* no. 27). Mommsen would correct *quoque* to *quique*.

## 78. EPISTULA IMPERATORIS HADRIANI AD EPHESIOS

(120 p. Chr.)

Lafoscade, 23; Ditt. *Syll.*³ 833.

[Αὐτοκράτωρ] Κα[ῖ]σαρ, θεοῦ Τραϊ(α)νοῦ Παρθικοῦ υἱός, | [θεοῦ Νερούα υ]ἱωνός, Τραϊανὸς Ἁδριανὸς Σεβαστός, | [ἀρχιερεὺς μ]έγιστος, δημαρχικῆς ἐξουσίας τὸ δʹ, | [ὕπατος τ]ὸ γʹ, Ἐφεσίων τῆι γερουσίαι χαίρειν. || [Μέττιος] Μόδεστος ὁ κράτιστος εὖ ἐποίησεν τὰ δίκ|[αια ὑμῖν κατα]νείμας ἐν τῆι κρίσει· ἐπεὶ δὲ πολλοὺς ἐδηλ[ώσατε] | σφ[ετερί]ζεσθαι χρήματα ὑμέτερα, οὐσίας τῶν δεδανισ[μέ]|νω[ν κ]ατέχοντας, οὐ φάσκοντας δὲ κληρονομεῖν, τοὺς [δὲ] | καὶ [αὐ]τοὺς χρεώστας ὄντας, πέπομφα ὑμῶν τὸ ἀντ[ίγραφον] || τοῦ ψηφίσματος Κορνηλίωι Πρείσκωι τῶι κρατίστωι | ἀνθυπάτωι, ἵνα εἴ τι τοιοῦτον εἴη ἐπιλέξηταί τινα, | ὃς κρινεῖ τε τἀμφισβητούμενα καὶ εἰσπράξει πάντα | ὅσα ἂν ὀφείληται τῆι γερουσίαι. Ὁ πρεσβεύων ἦν | Κασκέλλιος Π[ον]τικός, ὧι τὸ ἐφόδιον δοθήτω, εἴ γε μὴ || προῖκα ὑπέ[σχε]το πρεσβεύσειν. Εὐτυχεῖτε. Πρ(ὸ) εʹ κ(αλανδῶν) Ὀκτωβρίων. | [Γραμματεύοντος Πο]πλίου Ῥουτειλίου Βάσσου.

From Ephesus. The members of the *gerusia* at Ephesus had lost money by bad investments and appealed to the governor for assistance in solving their financial difficulties. The former governor of the province had given them some help in this matter, but the properties of certain debtors had passed into the hands of new owners, and these claimed that they did not inherit the obligations of the former owners, as they were not their heirs-at-law. The emperor instructed the present governor to appoint a judge to settle these cases and exact the amounts due to the *gerusia*. The right of *πρωτοπραξία*, or first lien on property, was thus granted to the *gerusia* by the emperor. Trajan refused to grant this privilege to Bithynian towns to the detriment of private individuals, unless the city already had acquired the right from former emperors, who, apparently, had granted it freely (Pliny, *Epp. ad Trai.* 108, 109).

### 79. EPISTULA IMPERATORIS HADRIANI (?) AD HERACLEOTAS

(121–125 p. Chr.)

*B.C.H.* 21 (1897), 162.

*. . . . . οι λειτουργείτωσαν· οἱ δὲ κεκτημένοι μόνον ταῖς τῆι | [πόλει ἐ]πιβαλλομέναις λειτουργίαις ὑπεύθυνοι ἔστωσαν· τίνα | [δὲ δεῖ τρ]όπον στόρνυσθαι τὰς ὁδούς, κοινῶι διατάγματι ἐδήλωσα· | [κε]λεύω καὶ* ΑΝΤΑΝΟΥΣ *συντελεῖν ὑμεῖν εἰς τὰ ἀναλώματα, || τὸ τρίτον συνεισφέροντας· ἡ δὲ συνεισφορὰ γενέσθω ἀπὸ | τῶν ἐν Μακεδονίαι ὄντων* ΑΝΤΑΝΩΝ. *Εὐτυχεῖτε. | Πρὸ ιγʹ καλανδῶν Ἰουνίων· ἀπὸ Δυρραχίου.*

This inscription is said to have been found on the site of Heraclea in Macedonia. Heraclea was a free state (Caesar, *B.C.* 3. 34; Strabo, 7. 7, p. 326). From this letter we learn that the citizens of this city, who owned property, were responsible for the maintenance of that part of the Egnatian Way which lay within their *territorium*, or, possibly, of the roads which led from the main highway through their district, since the plural form *ὁδούς* is used. It is probable that the *civitates liberae* were required to keep in repair the state roads which passed through their domains (*cf.* Le Bas-Waddington, 2806). In the case of Heraclea the citizens were helped by the ANTANOI who were required to contribute a third of the expense. Perdrizet thinks that the reading of this word is incorrect, but offers no emendation. He assumes that it refers to some corporation of traders in Macedonia who were concerned in the proper upkeep of the roads (*B.C.H.* 21 (1897), 162 *f.*). The reading *Ἀτιντανοί* is suggested by Holleaux (*Rev. d. ét. gr.* 11 (1898), 273 *ff.*).

## 80. EPISTULA LEGATI LYCIAE, VALERI SEVERI, AD RHODIAPOLITANOS

(125 p. Chr.)

Cagnat, *IGRR.* 3, 739, c. 16; Lafoscade, 104.

Οὐαλήριος Σεουῆρ[ος, π]ρεσβευτὴς Σεβαστοῦ | Ῥοδιαπολειτῶν [ἄρ]χουσι, βουλῆι, δήμωι | χαίρειν. Ὡς ἀξιοῦ[τε], Ὀπραμόαι Ἀ[π]ολλωνί|ου δὶς τοῦ Καλλ[ιάδο]υ, ὄντι καλῶι καὶ ἀ||γαθῶι πολείτηι κα[ὶ οὐ] μόνον τῆς ἀ|φ' ὑμῶν μαρτυρί[ας, ἀλ]λὰ καὶ τῆς ἀπὸ | τοῦ ἔθνους ἐπι[βοήσεως τυχόντι τειμὰς] | ὑμᾶς ψηφίζεσ[θαι ἡδέως ἐπιτρέπω. | Ἐρρῶσθαι ὑμ]ᾶς εὔχομαι. Ἀ[νεγρ]άφ[η] || ἐπὶ ἀρχι(ερέος) Ἀττάλου τοῦ Φανίου, Δείου α'.

We have included a few (nos. 84, 87, 97, 99, 102) of the inscriptions engraved on the walls of the mausoleum of Opramoas, a distinguished citizen of Rhodiapolis in Lycia. Before his death, Opramoas collected a series of honorary decrees and letters from the emperor and provincial governors and had them engraved on the tomb which he had erected. They constitute an important record for the study of the relation of the central government to the municipalities of the province and to the *κοινόν*. From them we learn that honorary decrees were submitted to the governor or to the emperor by the *κοινόν* and by the cities, that the governor had the right of vetoing such decrees, and that an appeal could be made to the emperor over the veto of the governor. This is the case with decrees conferring unusual honors. It was, apparently, the practice of cities to refer honorary decrees to the governor or emperor, probably through motives of vainglory or servility, for many of the documents on the monument of Opramoas are mere acknowledgments by the officials, and there is no indication that their sanction of the action of the city was required. In the document which we have given above, the Rhodiapolitani ask for the approval of the governor in conferring honors upon Opramoas.

## 81. RESCRIPTUM IMPERATORIS HADRIANI (?) AD PERGAMENOS DE COLLYBO

(125 p. Chr.?)

Ditt. *Or. Gr.* 484; *Alterthümer von Pergamon*, VIII, 2, 279.

. . . . . . λοῦμεν τω . . . . . . . . . . . | . . . . . . . . . . . . . . . . . μετεπεμ]ψάμην, βουληθεὶς μὲ[ν] φαί|[νεσθαι δίκαιος κατὰ τὴν ἐμαυτοῦ συν]ήθειαν, μόνα δὲ ταῦτα ἐξετάσαι | [τὰ ἐγκλήματα τῶν ἐργαζομένων ἐπ]ὶ τῆς πόλεως (ὑ)μῶν ἀνδρῶν, περὶ ὧν || [ὁ ἀποσταλεὶς ὑφ' ὑμῶν πρεσβευτὴς Κ]αλουίσιος Γλύκων ἐδίδαξεν ἡμᾶς. Πα|[ρεῖναι δ' ἐκέλευσα αὐτούς, ἵνα δῆλ]ον ἦν εἴ τι λέγειν ἐβούλοντο. Ὁ οὖν τῆς ἀ|[μείψεως τρόπος οὐ νόμιμος ἦν, ἀ]λ(λ)ὰ παρὰ τὸ δίκαιον καὶ παρὰ τὴν συναλλαγὴν | [πράττειν αὐτοῖς ἐ]πέτρεπον. Παρὰ γὰρ τῶν ἐργαστῶν καὶ καπήλων καὶ τῶν ὀ|[ψαριοπωλῶν ε]ἰς τὸν λεπτὸν ἐμπολᾶν εἰωθότων χαλκὸν δεκαοκτὼ ἀσσάρια || [τὸ δη]νάρ[ιον] λαμβάνειν ὀφείλοντες καὶ τοῖς τὸ δηνάριον διαλλάσσειν βου|[λ]ομένοι[ς πρὸ]ς [δ]ε[κα]επτὰ διδόναι οὐκ ἠρκοῦντο τὴν τῶν ἀσσαρίων ἄμει|ψιν, ἀλλ[ὰ κ]αὶ ἐὰν δηναρίων ἀργυρῶν τις ἀγοράσηι τὸ ὀψάριον, καθ' ἕκα|στον δηνάριον εἰσέπρασσον ἀσσάριον ἕν. Ἔδοξεν οὖν ἡμεῖν καλῶς ἔχειν | εἰς [τ]ὸ λοιπὸν τοῦτο διορθῶσθαι, ἵνα μὴ συμβαίνηι τοῖς ὠνηταῖς ὑπ' αὐτῶν || τελωνεῖσθαι, καθ' ὧν οὐδεμίαν αὐτοῖς ἐξουσίαν δεδόσθαι συμβέβηκεν. | Ὅσα μέντοι τῶν λεπτῶν ὀψαρίων σταθμῶι πιπρασκόμενα τιμᾶται ὑπὸ | τῶν ἀγορανόμων, τούτων, κἂν πλείονας μνᾶς ὠνήσωνταί τινες, ἤρε|σεν ἡμεῖν τὴν τιμὴν αὐτοὺς διδόναι πρὸς κέρμα, ὥστε ἀπ' αὐτῶν σώσ|ζεσθαι τῆι πόλει τὴν ἐκ τοῦ κολλύβου πρόσοδον. Ὁμοίως καὶ ἐὰν πλείο||νες συνθέμενοι ἀργυρῶν δηναρίων δόξωσιν ἠγορακέναι εἶτα διαι|ρῶνται, καὶ τούτους λεπτὸν διδόναι χαλκὸν τῶι ὀψαριοπώλῃι, ἵνα ἀνα|φέρηται ἐπὶ τὴν τράπεζαν· διδόναι δὲ πρὸς δεκαεπτὰ ἀσσάρια, ἐπει|δὴ ἡ τῆς ἀμειπτικῆς ἐργασία⟨ς⟩ δοκεῖ μόνοις τοῖς ἐργασταῖς διαλέγεσ|θαι. Ἠ(λ)έ(γ)χθησαν μετὰ τοῦτο καὶ ἕτερά τινα συνκεχωρηκότες ἑαυ||τοῖς κερδῶν ὀνόματα ἀσπρατούραν τε καὶ τὸ καλούμενον παρ' αὐτοῖς | προσφάγιον, δι' ὧν ἐπηρέαζον μάλιστα τοὺς τὸν ἰχθὺν πιπράσκοντας. | Καὶ ταῦτα οὖν ἐδοκιμάσαμεν διορθῶσθαι· πλεονεκτεῖσθαι γὰρ τοὺς | ὀλίγους ὑπ' αὐτῶν ἀνθρώπους δ(ῆλ)ον ἦν, συνέβαινεν δὲ πᾶσιν αἰσθη|τὴν γείνεσθαι τοῖς ὠνουμένοις τὴν ἄδικον τῶν πιπρασκόντων ζη||μίαν.

*Ἠτιάθησαν καὶ ὡς ἐνεορτάδια παρὰ τῶν ἐργαστῶν εἰσπράσσον|τες, ἅπερ ἀρνουμένων αὐτῶν ἡδέως ἐπίστευον, τοῦ μὴ ὀφείλειν | γείνεσθαι τὸ τοιοῦτο λαμβάνων καὶ τὴν παρ' αὐτῶν συνκατάθεσιν. | Μόνον μέντοι ὡμολόγουν τῶι Ὑπερβερεταίωι μηνὶ δίδοσθαι ἑαυ|τοῖς τὸ εἰς τὸν Ἑρμῆ λεγόμενον ἐκ τοιαύτης ἀφορμῆς· ὅρκον ἑαυτοῖς || ἀπαιτεῖν συνκεχωρῆσθαι παρὰ τῶν ἐνπολώντων τὸ λεπτὸν καὶ | πρὸς αὐτοὺς ἀναφερόντων περὶ τοῦ μηδὲν αὐτοὺς παρὰ τὴν διά|ταξιν πεποιηκέναι. Τοὺς οὖν διὰ τὸ συνειδὸς ὀμνύναι μὴ δυναμέ|νους διδόναι τι αὐτοῖς, ὥστε μὴ τὴν τοῦ ὀμνύναι ἀνάγκην ὑπομέ|νειν· ὃ οὐκ ἔδοξεν ἄλογον. Ἀντομνύναι μέντοι καὶ αὐτοὺς τοῖς ἐργ[ασ]||ταῖς περὶ τοῦ μηδὲν αὐτοὺς ἠδικηκέναι ἐν τῆι τοῦ ἀργυροῦ νομίσ[μα]|τος δόσει καὶ αὐτὸ δίκαιον ἡγησάμην. Ἐλέγοντο καὶ ἐνεχυρα[σί]|ας ἑαυτοῖς ποιεῖσθαι⟨ν⟩ ἐπιτρέπειν ὅλας τε τῶν ἐργαστῶν ἔσ[θ' ὅτε] | κρατεῖν τὰς ἐμπολάς, τῆς συναλλαγ[ῆ]ς οὐ τοῦτο συνχωρού[σης], | ἀλλὰ ἐπὶ τοὺς ταμίας αὐτοὺς παραγείνεσθαι κελευούση[ς, ἐὰν] || αἰτιάσωνταί τινα, καὶ παρ' ἐκείνων δημόσιον λαμβάν[ειν δοῦ]|λον, ἵνα νομίμως ποιῶνται τὴν ἐνεχυρασίαν, ὥστε [τὸ πρὸ τῆς] | κρίσεως τούτωι τῶι τρόπωι ληφθὲν μένειν το[ῖς ὀφείλουσ]ι. | Καὶ τοῦτο οὖν ἔδοξεν ἡμεῖν οὕτως ὀφείλειν γείν[εσθαι, ὅπ]ως πε|ριεῖχεν ἡ ἔκδοσις, καὶ διὰ τοῦ δημοσίου μέντοι [δούλου μὴ σύ]μμε||τρον εἶναι τὴν ἐνεχυρασίαν, ἀλλὰ ἢ τὸ ἱκαν[ὸν πρὸ κρίσ]εως λ[α]μβά|νεσθαι, ἢ ἐὰν δοῦναί τις μὴ δύνηται τὸ σ[υμβόλα]ιον, εἶνα[ι τ]ὸ ἐ|νέχυρον ὅσου ἂν τὸ πρᾶγμα καὶ τὸ ἐπ' αὐτῶι [πρόσ]τιμον ἦι. [Τὰς μέντ]οι κρί|σεις γείνεσθαι μὴ ἐπὶ τῶν ταμιῶ[ν, ἀλλ]ὰ ἐπὶ τῶν ἐστρατη[γηκ]ότων | ἀνδρῶν ἐξ ἀπολογῆς εὔλο[γον εἶ]ναι νομίζω, ἔτι δὲ το[ὺ]ς μὲν τα||μίας μετέχειν τῆς χρε[ίας κ]αθῆκον, το[ὺς] δὲ ἐσ[τρα]τη[γηκ]ότας | καὶ ἐμπείρους εἶνα[ι καὶ . . . . . . . ο]υς τῶν πραγμάτ[ω]ν [κα]ὶ με. . . . μον|τας τὸ τῆς περ[ιγιγνομένης] οὐσίας αὐτοὺς ἀπο[στ]ε[ρε]ῖν δυνάμε|νον, τὸν δὲ . . . . . . . . . . . . . . . . . . . . . . . . . ε.κεν καὶ οἷς ἂν ἄλλ[οις] τελώναις | ἐφε[δρεύοντας ἔγνωμεν ποιε]ῖσθαι αὐτοὺς τὴν ἐνεχυρασίαν κα[ὶ ||. . . . . . . . . . . . . . . . . . . .] ταῖς ἀγοραίοις πιπρασκομένων ι. .|. . . . . . . . . . . . . . . . . . . . . . . .ως δίδοσθαι τέλος, ἀλλ' ἐὰν λ. . .|. . . . . . . . . . . . . .να.ερεινε. .ιτη. . . . . . . . .*

From Pergamum. This rescript is assigned by von Prott (*Ath. Mitt.* 27 (1902), 78 *ff.*) to the emperor Hadrian. The city of Per-

gamum issued bronze coins and the right of exchanging them for the Roman denarius was given to contractors at a fixed rate of exchange on condition that a certain percentage of their profits should be paid to the municipal treasury. The contractors had changed the rate arbitrarily, so that both they and the city gained an increased revenue. The merchants protested by appealing to the emperor who summoned both parties to give evidence. In his rescript he reviews the evidence and gives his decision in favor of the merchants and traders. In this document we have evidence of a municipal monopoly. The Greek cities which retained the privilege of issuing coins apparently compelled local traders to conduct business in the local currency, and the exchange of foreign money was regulated by municipal laws. From the exchange a certain amount of revenue was derived (*cf. CIG.* 2053). The right of exchange was either let to contractors, as in this case, or was conducted by the city with officials appointed for the purpose (*cf.* Reinach, *B.C.H.* 20 (1896), 523 *ff.*, where the evidence for public and private bankers in the Greek states is collected). *Cf.* nos. 133, 199. For a full commentary, *cf.* von Prott, *loc. cit.*

## 82. EPISTULA AVIDI QUIETI, PROCONSULIS ASIAE, AD AEZANITAS

(125–126 p. Chr.)

*CIG.* 3835; Le Bas-Waddington, 860–863; Lafoscade, 93; Ditt. *Or. Gr.* 502; Cagnat, *IGRR.* 4, 571; *CIL.* III, 355 and *S.* 7003; de Ruggiero, *L'arbitrato pubblico*, 57.

Ἀουίδιος Κουιῆτος Αἰζανειτῶν ἄρχουσι βουλῆι | δήμωι χαί- 1
ρειν. Ἀμφισβήτησις περὶ χώρας ἱερᾶς, ἀνα|τεθείσης πάλαι τῶι
Διί, τρειβομένη πολλῶν ἐτῶν, τῆι προνοίαι τοῦ | μεγίστου
αὐτοκράτορος τέλους ἔτυχε. Ἐπεὶ γὰρ ἐπέστειλα αὐτῶι δη||λῶν 5
τὸ πρᾶγμα ὅλον, ἠρόμην τε ὅτι χρὴ ποιεῖν, δύο τὰ | μάλιστα
τὴν | διαφορὰν ὑμεῖν κεινοῦντα καὶ τὸ δυσεργὲς καὶ δυσεύρετον
τοῦ | πράγματος παρεχόμενα, μείξας τῶι φιλανθρώπωι τὸ δίκαιον
ἀκολού|θως τῆι περὶ τὰς κρίσεις ἐπιμελείαι τ[ὴ]ν πολυχ[ρ]όνιον
ὑμῶν μάχην καὶ ὑποψί||αν πρὸς ἀλλήλους ἔλυσεν, καθὼς ἐκ τῆς 10
ἐπιστολῆς ἣν ἔπεμψεν πρός με | μαθήσεσθε, ἧς τὸ ἀντίγραφον
ὑμεῖν πέπομφα. Ἐπέστειλα δὲ Ἑσπέρωι τῶι ἐπι|τρόπωι τοῦ

Σεβαστοῦ, ὅπως γεομέτρας ἐπιτη(δ)[είους] λεξάμενος ἐκείνοις |
προσχρήσηται τὴν χώραν διαμετρῶν κἀκ [τούτου ἀγαθὸ]ν ὑμεῖν
γενήσεται. | Καὶ ἐκ τῶν ἱερῶν τοῦ Καίσαρος γραμμάτω[ν ὑμεῖν
15 δ]εδήλωκα ὅτι⟨ο⟩ δεῖ τε||λεῖν ὑπὲρ ἑκάστου κλήρου κατὰ τὴν
[τοῦ Καίσαρος ἀπό]φασιν ἐξ ἧς ἂν ἡ|μέρας λάβητε τὴν ἐπιστολήν.
Ἕκαστ[ος δὲ τὸ τέλος τῶι] ἱερο[ταμίαι τῆς] | χώρας τελέσει,
ἵνα μὴ πάλιν τινὲς ἀ[μφισβητοῦντες περὶ αὐτῆς τοῦ] | βράδειον
ἀπολαῦσαι τὴν πόλιν τῆς [προσηκούσης προσόδου παραίτιοι] |
γένωνται· ἀρκεῖ γὰρ αὐτοῖς τὸ μέχρι ν[ῦν ἀπολελαυκέναι τούτων.
20 Πέπομ]||φα δὲ καὶ τῆς πρὸς Ἕσπερον ἐπιστο[λῆς τὸ ἀντίγραφον
καὶ ἧς Ἕσπερος ἐ]|μοὶ γέγραφεν. Ἐρρῶσθαι ὑμᾶς εὔχο[μαι].

II Exempl(ar) epistulae C*ae*saris scriptae ad | Quietum. | Si in
quantas particulas, *quos cle*ros appellant, ager Aezanen|si Iovi dicatus
5 a regibus divisu*s sit*, non apparet, optimum est, || sicut tu quoque
existimas, *modu*m qui in vicinis civitatibus | clerorum nec maximus
*nec mi*nimus est observari. Et si, cum | Mettius Modestus constitueret,
ut vectigal pro is pendere|tur, constitit qui es*s*ent c*leruc*hici
agri aequum est ex h*oc* | tempore vectigal pendi. Si *non co*nstitit,
10 iam ex hoc tem*po*||re vec*tig*al pendendum est. *At* si quae morae
qu*aerantur* | us*que dum penda*nt inte*grum*, *dentur*.

III Exempl(ar) epistulae Quieti scriptae ad | Hesperum. | Cum
variam esse clerorum mensuram | cognoverim, et sacratissimus
5 imp(erator) con||stitutionis suae causa neq(ue) maximi neq(ue) |
*min*imi mensuram iniri iusserit in ea re|*gione*, quae Iovi Aezanitico
dicata dicitur, | *mando tib*i, Hesper(e) carissime, explores qu|*ae*
10 *maximi cl*eri mensura, quae minimi *in* || *vicinia et in* ipsa illa regione
sit, et id | *per litteras n*otum mihi facias.

IV Exempl(ar) epistulae scriptae Quie|to ab Hespero. | Quaedam
5 negotia, domine, non ali|ter ad consummationem perduci || possunt,
quam per eos qui usu sunt | eorum periti. Ob hoc, cum mihi iniunxisses
ut tibi renuntiarem, quae | mensura esset clerorum circa
re|gionem Aezaniticam, misi in rem | praesentem ei . . .

From Aezani. In this group of documents we have an example of administrative arbitration. Lands sacred to Jupiter had been confiscated by the Greek kings and parcelled out in allotments. The holders paid a rental to the municipality and also to the imperial fiscus. For this reason the governor refers the dispute, not to the

senate, but to the emperor. The dispute which had arisen is not clear, but apparently the tenants had acquired larger holdings in the course of time and continued to pay the same rental as on the original smaller leasehold. The emperor instructs the governor to find out the average size of such leaseholds in neighboring states and regulate those of Aezani accordingly. In the governorship of Mettius Modestus the question had arisen as to what lands were cleruchic. Apparently, some tenants had ceased to pay rental and had held the land as if entitled to absolute ownership (*cf.* no. 55). Mettius had been called upon by the city to reestablish the title of the state to the confiscated property.

## 83. EPISTULA IMPERATORIS HADRIANI AD STRATONICENSES

(127 p. Chr.)

Cagnat, *IGRR.* 4, 1156*a*; Lafoscade, 23; Ditt. *Syll.*$^3$ 837; Riccobono, p. 325.

Αὐτοκράτωρ Καῖσαρ, θεοῦ Τραϊαν[οῦ] | Παρθικοῦ υἱός, θεοῦ Νερούα υἱωνό[ς], | Τραϊανὸς Ἁδριανὸς Σεβαστός, ἀρ[χιε]|ρεὺς μέγιστος, δημαρχικῆς ἐξο[υσί]||ας τ(ὸ) ια', ὕπατος τ(ὸ) γ', Ἁδριανοπ[ο]|λειτῶν Στρατονεικέ[ω]ν τοῖς ἄρχ[ου]|σι καὶ τῆι βουλῆι καὶ τῶι δήμωι χαίρει[ν]. | Δίκαια ἀξιοῦν μοι δοκεῖτε καὶ ἀναγκαῖα ἄ[ρ]|τι γεινομένηι πόλει· τά τε οὖν τέλη τὰ ἐ[κ] || τῆς χώρας δίδωμι ὑμεῖν, καὶ τὴν οἰκίαν Τι[β.] | Κλαυδίου Σωκράτους τὴν οὖσαν ἐν τῆι [πό]|λει ἢ ἐπισκευαζέτω Σωκράτης ἢ ἀποδό[σ]|θω τινὶ τῶν ἐπιχωρίων, ὡς μὴ χρόνωι [καὶ | ἀ]μελίαι καταριφθείη. Ταῦτα ἐπέστειλα καὶ [τῶι || κρ]ατίστωι ἀνθυπάτωι Στερτινίωι Κουαρ[τίνωι] | καὶ τῶι ἐπιτρόπωι μου [Πο]μπηΐωι Σεου[ήρωι]. | Ἐπρέσβευσεν Κλ. Κάνδιδος, ὧι τὸ ἐφόδι[ον] | δοθήτω, εἰ μὴ προῖκα ὑπέσχηται. | Εὐτυχεῖτε. Καλάνδαις Μαρτίαις ἀπὸ Ῥώ||[μ]ης. Κλ. Κάνδιδος ἀπέδωκα τὴν ἐπιστο|[λ]ὴν Λολλίωι Ῥουστικῶι ἄρχοντι τῆι πρὸ α' ἰδῶ[ν] | Μαΐων ἐν τῆι ἐκκλησίαι.

From Stratonicea-Hadrianopolis. This city had been founded by Hadrian himself by the grant of civic status to a village on the site. The form of government is that usually found in Greek states, with archons, senate, and popular assembly. The calendar, however, was Roman. The city was unable to support itself and pay the requisite tribute to Rome. On appeal to the emperor, Hadrian remitted the taxes—*τὰ τέλη τὰ ἐκ τῆς χώρας*. It is possible that the mention of the imperial procurator in this connection should be interpreted as a reference to rents from public lands of the emperor (Weber, *Unters. Gesch. Hadr.* 136 *f.*), which he assigns to the new municipality. On the policy of creating new municipalities in Asia, *cf.* Chapot, *La prov. rom. proc. d'Asie*, 100 *ff.* The second request of the embassy is an interesting example of the petty problems referred to Rome by the cities in this period. The house of Socrates had fallen into disrepair, and the emperor gives orders that the owner should restore the building or sell it to some citizen of Stratonicea. There is no evidence that this house had been converted into a shrine because Hadrian may have resided there during his visit to the city (*cf.* Weber, *op. cit.* 138).

## 84. EPISTULA LEGATI LYCIAE, POMPONI VETTONIANI, AD COMMUNE LYCIORUM

(128 p. Chr.)

Cagnat, *IGRR.* 3, 739, c. 14; Lafoscade, 103.

[Π]*ομπώνιος* 'Α]*ν*[*τ*]*ισ*[*τιανὸς Φουνισουλανὸ*]*ς* [Οὐ]|*εττωνιανὸς πρεσβε*[*υτὴς καὶ*] *ἀντι*[*στράτ*]*η*|*γος, τῆι κοινῆι τοῦ ἔθνους ἀρχαιρεσιακῆι ἐκ*|*κλησίαι χαίρειν.* Τὸ *τειμᾶν τοὺς ἀγαθοὺς* || *ἄνδρας καλόν ἐστιν· μάλ*[*ι*]*στα ἐξαιρέτ*[*ω*]*ς* | *ἀναφαίνετε· ὥσπερ καὶ ν*[*ῦ*]*ν* 'Α*πολλω*|*νίωι δὶς τοῦ* Κ*αλλιάδου, ὃ*[*ς*] *ὑμεῖν ἀρχιερέα* | *τὸν υἱὸν ἐθελόντ*[*ω*]*ς παρ*[*έσχ*]*ηται, καὶ αὐ*|*τὸς παραγενόμενος φιλο*[*τειμο*]*υμένωι καὶ* || *ἀνιέντι ὑμεῖν τὸν ἑαυτ*[*οῦ πλοῦτο*]*ν, εἰς κόσ*|*μον τῆς τοῦ ἔθνους ἀξί*[*ας μαρ*]*τυρῶ* | *τ*[*α*]*ῖς τειμαῖς ταῖς εἰς αὐτὸ*[*ν ὑφ' ὑμῶν*] *δο*|*θησομέναις τήν τε προεδ*[*ρίαν ἐπιτρέ*]*πω* | *κυρωθῆναι αὐτῶι τόν τ*[*ε εἰσιόντα* (?) *ἀρχιε*]*ρέα* || *υἱὸν* [*αὐ*]*τοῦ* 'Α*πολλώνι*[*ον* . . . . .

See note on no. 80. In this letter the governor approves in advance the honors which the provincial assembly proposes to confer upon Opramoas, and apparently ratifies the election of his son to the chief priesthood of the province. There is no evidence that the provincial assembly was required to submit their action in either case to the governor or that he exercised veto powers in the elections of provincial officials. For the veto of the governor on provincial decrees *cf.* no. 97.

### 85. EPISTULA IMPERATORIS HADRIANI AD EPHESIOS

(129 p. Chr.)

Lafoscade, 26; *I.B.M.* 3, 487; Ditt. *Syll.*$^3$ 838.

Αὐ[το]κράτωρ Καῖσαρ, *θεοῦ* [Τραϊανοῦ] | Παρθ[ι]κοῦ υἱός, *θεοῦ* Νερ[ο]ύα υ[ἱ]ων[ός], | Τραϊα[ν]ὸς Ἁδριαν[ὸ]ς Σεβασ[τός, ἀρ]χιερεὺ[ς] | μέγισ[το]ς, δημαρχ[ικῆ]ς ἐξουσί[ας τὸ ι]γʹ, ὕπατος τὸ γʹ, || πατὴ[ρ πατ]ρίδος, Ἐφ[εσί]ων τ̣οῖς ἄ[ρ]χουσ[ι καὶ τῆι β]ουλῆι χαίρειν· | Λ. Ἔ[ρ]αστος καὶ πολ[εί]της ὑ[μ]ῶν [ε]ἶναί φ[ησιν κ]αὶ πολλ[άκις] | πλ[εῦσ]αι τ[ὴ]ν θάλασ[σαν, καὶ ὅ]σα ἀπὸ τού[του δυν]ατὸς | χρήσιμ[ο]ς γενέσ[θαι τῆι πατρ]ίδι, καὶ τοῦ ἔθν[ους τ]ο[ὺς] ἡγε|μόνας ἀεὶ δι[α]κομ[ίσαι], ἐ[μ]οὶ δὲ δ[ὶς] ἤδη συ[νέπλευ]σεν, || τὸ μὲν πρῶτον εἰς Ῥόδον ἀπὸ τῆς Ἐ[φέ]σου κο[μιζ]ομ̣έ[νωι], | νῦν δὲ ἀπὸ Ἐλευσεῖνος πρὸς ὑμᾶς ἀφικ[ν]ουμέν[ωι, βούλ]εται[ι]| δὲ βουλευτὴς γενέσθαι· κἀγὼ τ[ὴν] μὲν [δοκι]μασία[ν ἐ]φ̣᾽ ὑμεῖν | ποιοῦμαι, εἰ δὲ μηδὲν ἐνποδών [ἐστι καὶ δοκεῖ τῆς τι]μῆς ἄξ[ι]ος, | τὸ ἀργύριον, ὅσον διδόασιν οἱ βουλεύοντες, [δώσω τῆς ἀρχαι]ρεσίας [ἕ]νεκα. || Εὐτυχεῖτε.

From Ephesus. Hadrian requests the Ephesians to elect Erastus to the municipal senate. The scrutiny of the qualifications of the candidate is placed in the power of the city, while the emperor promises to pay the requisite *summa honoraria* (*cf.* Pliny, *Ep. ad Trai.* 112, 113). Nothing is known of the method of election to the senate at Ephesus in this period beyond the indications given in this letter. If the word *ἀρχαιρεσίας* is properly restored in l. 14, it may indicate that senators were elected at the special meeting of the senate or assembly at which the usual magistrates were elected (*cf.* Chapot, *La prov. rom. proc. d'Asie*, 199).

### 86. PRIVILEGIA CONCESSA DIANAE EPHESIAE AB IMPERATORE HADRIANO

(129 p. Chr.)

Ditt. *Syll.*$^3$ 839.

Αὐτοκράτορα Καίσαρα, θεοῦ | Τραϊανοῦ Παρθικοῦ υἱόν, θεοῦ | Νερούα υἱωνόν, Τραϊανὸν Ἁδριανὸν | Σεβαστὸν καὶ Ὀλύμπιον,

5 *δημαρ||χικῆς ἐξουσίας τὸ (ι)γʹ, ὕπατον | τὸ γʹ, πατέρα πατρίδος, |
ἡ βουλὴ καὶ ὁ δῆμος ὁ Ἐφεσίων | τὸν ἴδιον κτιστὴν καὶ σωτῆρα,
10 διὰ | τὰς ἀνυπερβλήτους δωρεὰς Ἀρτέ||μιδι, διδόντα τῇ θεῷ τῶν
κληρο|νομιῶν καὶ βεβληκότων τὰ δίκαια | καὶ τοὺς νόμους
αὐτῆς, σειτοπομ[πίας δὲ] | ἀπ᾽ Αἰγύπτου παρέχοντα, καὶ τοὺς
15 λιμένας | πο[ιήσαν]τα πλωτούς, ἀποστρέψαντά τε || καὶ τὸν
βλά[πτοντα τοὺς] λιμένας ποταμὸν | Κάϋστρον διὰ το . .*

From Ephesus. In visiting this city, Hadrian granted to the priests of the goddess Diana the right of receiving inheritances in the name of the divinity. *Cf.* Ulpian, *Frag.* XXII, 6: deos heredes instituere non possumus, praeter eos, quos senatus consultis constitutionibusve principum instituere concessum est, sicuti Iovem Tarpeium, Apollinem Didymaeum Mileti, Martem in Gallia, Minervam Iliensem, Herculem Gaditanum, Dianam Efesiam, Matrem deorum Sipylenen, Nemesim, quae Smyrnae colitur, et Caelestem Salinsem Carthigini. Apparently those who violated the laws of the sanctuary were liable to condemnation, and their property was confiscated for the benefit of the temple's treasury.

## 87. EPISTULA SUFENATIS VERI, LEGATI LYCIAE, AD LYCIARCHAM

(131 p. Chr.)

Cagnat, *IGRR.* 3, 739, c. 18; Lafoscade, 105.

*[Ἐπὶ] ἀρχιερέο[ς Κλαυδίου Μαρκιανοῦ | . . . . . . . . . Σου]φ[ήνα
Οὐή]ρ[ος] Ἰο[. . . . . . | Λυκ]ιάρχηι χαίρειν. Ὀπραμόαν Ἀπο[λ-
5 λω]|νίου δὶς τοῦ Καλλιάδου καὶ αὐτὸς ἀ[πο]||δέχομαι ἐπὶ τῆι
φιλοτειμίαι, ἣν πρὸς τὸ λα[μ]|πρότατον ἔθνος ὑμῶν ἐπεδείξατο,
δω|ρησάμενος αὐτῶι δηνάρια πεντάκις μύ|ρια πρὸς οἷς πέρυσι
ὑπέσχητο εἰς τὴν κα|ταλλαγὴν τοῦ νομίσματος δηναρίοις ||
10 πεντάκις χειλίοις. Τὴν οὖν προδηλουμέ|νην αὐτοῦ δωρεὰν βε-
βαιῶ ἐπί τε τῶι ἀσάλευ|τον καὶ ἀμετάθετον εἰς τὸν ἀεὶ χρόνον
εἶ|ναι καὶ ἐπὶ ταῖς ἄλλαις αἱρέσεσιν, αἷς ἐπην|[γείλ]ατο.
15 Ἐρρῶσθαί σε εὔχομαι. Ἐδόθη || πρὸ [. . .] εἰδῶν Ὀκτωνβρίων.*

See note on no. 80. The governor ratifies the establishment of an endowment fund of fifty-five thousand denarii, the income of which is to be devoted to an annual distribution to the officials and members of the provincial assembly (Cagnat, *IGRR.* 3, 739, c. 20). The gift of five thousand denarii, made in the previous year for the exchange of money, is interesting. The exchange of local and imperial money was a form of taxation (*cf.* nos. 81, 133), and this gift was designed to relieve the people who attended the assembly and had to make purchases at the fair held in connection therewith (*cf.* no. 73). It appears, however, that his help had not been needed, and this sum is now included in the endowment fund.

## 88. TITULUS HONORARIUS

(132 p. Chr.)

*CIL.* III, *S.* I, 7282; Dessau, 315.

Imp. Caesari divi Traiani | Parthici f., divi Nervae nep., | Traiano Hadriano Aug. p. m., | tr. p. XVI, cos. III, p. p., Olympio ob || multa beneficia quae viritim | quae publice praestitit, resti-| tutori coloniae suae, Troadenses | per legatos M. Servilium Tutilium | Paulum et L. Vedumnium Aulum. || Τρωαδέων.

A square base found in 1886 at Athens probably on the site of the *gymnasium Hadriani*. Lines 8–9 were added by another hand. The colonia Alexandria Troas was founded between 27 and 12 B.C. (*cf.* Kornemann, *R.E.* 4, 550). This inscription celebrates the restoration of the colony by Hadrian. For other inscriptions cut at the same time in similar circumstances, *cf. CIL.* III, *S.* I, 7281, 7283, and *IG.* III, 472–486.

## 89. LEX PALMYRENORUM

(137 p. Chr.)

Ditt. *Or. Gr.* 629; Cagnat, *IGRR.* 3, 1056, ll. 1–16.

[Ἐπὶ Αὐτοκράτορος Καίσαρος, θεοῦ Τραϊανοῦ Παρθι]κοῦ υἱο[ῦ, θε]οῦ [Νερούα υἱωνοῦ, Τραϊανοῦ Ἁδριανοῦ Σεβαστοῦ, δημαρχικῆς | ἐξουσίας τὸ κα', αὐτοκράτορος τὸ β', ὑπ]άτου τὸ γ', πατρὸς πατρίδος, ὑπάτω[ν Λ(ουκίου) Αἰλίου Καίσαρος τὸ β' Π(οπλίου) Κοιλίου Βαλβίνου]. | Ἔτους ημυ', μηνὸς Ξανδικοῦ ιη',

*δόγμα βουλῆς. | Ἐπὶ Βωννέους Βωννέους τοῦ Αἱράνου προέδρου,
5 Ἀλεξάνδρου τοῦ Ἀλεξάνδρου τοῦ || Φιλοπάτορος γραμματέως
βουλῆς καὶ δήμου, Μαλίχου Ὀλαιοῦς καὶ Ζεβείδου Νεσᾶ
ἀρχόν|των, βουλῆς νομίμου ἀγομένης, ἐψηφίσθη τὰ ὑποτεταγμένα.
Ἐπειδὴ [ἐν τ]οῖς πάλαι χρόνοις | ἐν τῶι τελωνικῶι νόμωι
πλεῖστα τῶν ὑποτελῶν οὐκ ἀνελήμφθη, ἐπράσ[σετ]ο δὲ ἐκ
συνηθείας, ἐν|γραφομένου τῆι μισθώσει τὸν τελωνοῦντα τὴν
πρᾶξιν ποιεῖσθαι ἀκολούθως τῶι νόμωι καὶ τῆι | συνηθείαι,
συνέβαινεν δὲ πλειστάκις περὶ τούτου ζητήσεις γείνεσθ[αι
10 με]ταξὺ τῶν ἐνπόρων || πρὸς τοὺς τελώνας· δεδόχθαι, τοὺς
ἐνεστῶτας ἄρχοντας καὶ δεκαπρώτους διακρείνοντας | τὰ μὴ
ἀνειλημμένα τῶι νόμωι ἐνγράψαι τῆι ἔνγιστα μισθώσει καὶ
ὑποτάξαι ἑκάστωι εἴδει τὸ | ἐκ συνηθείας τέλος, καὶ ἐπειδὰν
κυρωθῆι τῶι μισθουμένωι, ἐνγραφῆναι μετὰ τοῦ πρώτου νό|μου
στήλῃ λιθίνῃ τῆι οὔσῃ ἀντικρὺς [ἱ]ερ[οῦ] λεγομένου Ῥαβασείρη,
ἐ[πι]μελεῖσθαι δὲ τοὺς τυγχά|νοντας κατὰ καιρὸν ἄρχοντας
καὶ δεκαπρώτους καὶ συνδίκ[ους τοῦ] μηδὲν παραπράσσειν ||
15 τὸν μισθούμενον.*

From Palmyra. We omit the Aramaic version recorded on the stone, and the register of taxes imposed by the decree, which is recorded in both Greek and Aramaic. The customs were usually under imperial control (Cagnat, *Les impôts indirects chez les Romains*), but Palmyra, in the midst of a desert, had no other revenue except that which she derived from her position as a way-station on the trade-route to the Orient. There is no evidence that the Romans collected *portoria* in Syria (Mommsen, *E.E.* 5, 18). This law is proposed by the Palmyran senate which authorizes the magistrates and *decaproti* to draw up the tariff in those particulars not specified in the existing law. After their proposed tariff was ratified by the firm of *publicani* which collected the tax, the schedule was to be posted in a public place where the traders could refer to it in case of a dispute with the collectors. Mylasa in Caria also had control of the tax on goods entering that port (*CIL.* III, *S.* I, 7151; Dessau, *Hermes*, 19 (1884), 436 *ff.*; *cf.* p. 140).

## 90. LEX DE CERTA OLEI PORTIONE REI PUBLICAE VENDENDA

(117–138 p. Chr.)

*IG.* II and III (*editio minor*), 1100; de Ruggiero, *L'arbitrato pubblico*, 36.

Κε. νο. θε. Ἁδριανοῦ. | Οἱ τὸ ἔλαιον γεωργοῦντες τὸ τρίτον | καταφερέτωσαν, ἢ τὸ ὄγδοον οἱ τὰ | Ἱππάρχου χωρία τὰ ὑπὸ τοῦ φίσκου || πραθέντα κεκτημένοι· μόνα γὰρ ἐ|κεῖνα τὸ δίκαιον τοῦτο ἔχει· καταφε|ρέτωσαν δὲ ἅμα τῶι ἄρξασθαι συνκο|[μιδῆς κ]ατὰ μέρος, πρὸς λόγον το[ῦ | συνκομιζ]ομένου, τοῖς ἐλεώναι[ς, || οἵτινες ἀεὶ] προνοοῦσιν τῆ[ς | δημοσίας χρεία]ς· ἀπογραφέσθω[σαν δὲ | . . . . . . . .] τῆς συνκομιδῆς πρὸ[ς | τοὺς ταμίας κα]ὶ τὸν κήρυκα δύο | [. . . . . . . . . . . . . .]ιδόντες ὑπογρα||φήν· [ἡ] δὲ ἀπ[ογραφ]ὴ ἔστω μετὰ ὅρκου | καὶ πόσον συνεκόμισεν τὸ πᾶν,| καὶ ὅτι διὰ δούλου τοῦδε ἢ ἀπελευ|θέρου τοῦδε· ἐὰν δὲ πωλήσηι τὸν | καρπὸν ὁ δεσπότης τοῦ χωρίου, ἢ ὁ || γεωργὸς ἢ ὁ καρπώνης, ἀπογραφέ|σθω δὲ πρὸς τοὺς αὐτοὺς καὶ ὁ ἐπ' ἐξα|γωγῆι πιπράσκων, πόσον πιπράσκει | καὶ τίνι καὶ ποῦ ὁρμ[ε]ῖ τὸ [π]λοῖον. Ὁ δ[ὲ] | ἀπογραφῆς χωρὶς π[ιπράσκων] ἐπ' ἐξα||γωγῆι, κἂν ὃ ὤφειλεν ἦι κα[τενηνοχὼς] | τῆι πόλει, στερέσθω τοῦ πραθ[έντος]. | Ὁ δὲ ψευδεῖς ἀπογραφὰς ποιήσα[ς] | ἢ τὰς περὶ τῆς συνκομιδῆς [ἢ τ]ὰ[ς περὶ] | τῆς ἐξαγωγῆς ἢ ὑπὲρ χωρίου, [ὃ μὴ πα]||ρὰ φίσκου ἐπρίατο μὴ Ἱππάρχ[ειο]|ν [ὂ]ν ὄγδοον κατενεγκών, σ[τερέ|σθω, τὸ δὲ ἥμισυ ὁ μη]νύσας λαμ[βανέτω. |Ὅς δ' ἂν ἐπ' ἐξαγω]γὴν ἀναπόγ[ραπτα | πρίηται . . . . .] ειρεειμ . . . . . .||. . . . . . . . . . . . . . . .των ἀπ[ο]στερ . . . . .|. . . . . . . . . . . . . .ος αὐτὸς ἢ ὅν[τινα | ἂν ἕληται, πιπρασκέ]τω μὲν ἐξ ἀπ[ογρα|φῆς . . . . . . . τ]ῆς δὲ τειμῆς τὸ [μὲν ἥ]||μισυ κατεχέτω, εἰ μήπω δέδωκεν ἢ λαμ||βανέτω, τὸ δὲ ἥμισυ ἔστω δημόσιον. | Γραφέσθω δὲ καὶ ὁ ἔμπορος, τί ἐξάγει | καὶ πόσον παρ' ἑκάστου· ἐὰν δὲ μὴ ἀπο|γραψάμενος φωραθῆι ἐκπλέων, στερέ|σθω· ἐὰν δὲ ἐκπλεύσας φθάσηι καὶ μηνυ||θῆι, γραφέσθω καὶ τῆι πατρίδι αὐτοῦ ὑπὸ τοῦ | δήμου κἀμοί. Τὰς δὲ περὶ τούτων δίκας | μέχρι μὲν πεντήκοντα ἀμφορέων ἡ βου|λὴ μόνη κρεινέτω, τὰ δὲ ὑπὲρ τοῦτο μετὰ | τοῦ δήμου. Ἐὰν δὲ τῶν ἐκ τοῦ πλοίου τις || μηνύσηι, ἐπάναγκες ὁ στρατηγὸς τῆι ἑξῆς | ἡμέραι βουλὴν ἀθροισάτω, εἰ

δ' ὑπὲρ τοὺς | πεντήκοντα ἀμφορεῖς εἴη τὸ μεμηνυ|μένον, ἐκ-
κλησίαν· καὶ διδόσθω τῶι ἐλέγ|ξαντι τὸ ἥμισυ. Ἐὰν δὲ ἐκκαλέ-
55 σηταί τις ἢ || ἐμὲ ἢ τὸν ἀνθύπατον, χειροτονείτω συν|δίκους ὁ
δῆμος. Ἵνα δὲ ἀπαραίτητα ἦι τὰ | κατὰ τῶν κακουργούντων
ἐπι[τ]είμι[α], τει|μῆς ἰς τὸ δημόσιον καταφερέσθω τὸ ἔλαι|ον,
60 ἥτις ἂν ἐν τῆι χώραι ἦι. Εἰ δέ ποτε εὐφορ[ί]||ας ἐλαίου γενο-
μένης πλέον εἴη τὸ ἐκ τῶν | τρίτων ἢ ὀγδόων καταφερόμενον τῆς
εἰς | ὅλον τ[ὸ]ν ἐνιαυτὸν δημοσίας χρείας, ἐξέ|στω τοῖς μ[ὲν
γεωρ]γοῦσιν τὸ ἔλαιον ἢ πᾶν | ἢ μέρος δευτέραν ἀπογραφὴν
65 ποιησαμέ||νοις καὶ δημόσιον τό τε ὀφειλόμενον | πόσον ἐστὶν
. . . . ὃ οἱ ἐλαιῶναι ἢ ο[ἱ] ἀργυ|ροταμία[ι] οὐ βούλονται παρ' αὐ-
70 τῶν λαβεῖν, | φυλά[ττειν . . . . . . . . . . ]|ξετα . . . . . . . . . . ||σκ . . . .

From Athens. In the first line Dittenberger proposed the restoration κε(λεύει) νό(μος) θε(οῦ) and dated the document after the death of Hadrian. Premerstein proposed κε(φάλαιον) νό(μου) θε(οῦ) Ἁδριανοῦ and would date the law in 124–125, the year of Hadrian's first visit to Athens (*cf.* Weber, *Unters. Gesch. Hadr.* 165). Although Athens was a free city, allied to Rome, and free to enact her own laws, Hadrian was asked to devise new laws which he modelled on those given by Solon and Draco (Hieron., *Chr.*, *ab Abr.* 2137). As Solon is said to have restricted the exportation of olives from Attica, it is possible that this document may contain one of the clauses of Hadrian's legislation, although it seems to be a separate enactment. The law stipulated that the olive-growers must reserve one-third of their supply to be sold to the Athenian state at the market price, with the proviso that tenants on the estate of Hipparchus, formerly owned by the imperial *fiscus*, should reserve one-eighth only. Failure to declare the amount of oil produced, or the amount bought or sold for export, or a false declaration, led to confiscation. The Athenian senate had jurisdiction over cases in which less than fifty amphorae were involved. Where greater quantities were in question, the case came before the popular assembly. Appeals could be taken to the emperor or to the governor, and in such cases the city was represented by advocates elected by popular vote.

The special consideration shown to those on the estate of Hipparchus is noteworthy. Hipparchus was the grandfather of Herodes

Atticus and his lands had been confiscated by the *fiscus* because he had been suspected of revolutionary designs (Philostratus, *Vit. Soph.* 2. 1. 2). If these lands had been sold outright, as seems to be implied, it is difficult to understand why the purchasers should be entitled to such favorable consideration in comparison with other landowners in Attica. We suspect, however, that the verb πραθέντα is used here in the same sense as in the law concerning the disposal of the public lands of Thisbe (*cf.* no. 129 and commentary), and that the lands of Hipparchus formed an imperial estate within the territory of Attica in spite of the fact that Athens was in possession of the status of a *civitas foederata et libera.*

Although the law implied that the city must pay the prevailing market price (ll. 58–59), it is difficult to understand why there should be any difficulty in securing an adequate supply of oil in the open market under such circumstances. It is probable that the city fixed a price lower than that prevailing in the export trade, and this law virtually imposes a tax upon the olive-growers in so far as the price paid by the city for the third of their produce is below the current market quotations.

## 91. EPISTULA IMPERATORIS HADRIANI (?) AD ATHENIENSES

(117–138 p. Chr.)

*IG.* II and III (*editio minor*), 1103.

. . . . . λ . ει μετρη[ς . . . . . . . . . . . . .]|δε τὴν διοβελίαν . . . . . . . . . . . . α μηδὲ[. . . . . . . . τοῖς] | δὲ ἐν Ἐλευσεῖνι ἁλιεῦσιν ἀτέλειαν ἰχθύ[ων εἶναι ὅταν ἐν Ἐλευ]|σεῖνι ἐν τῆι ἀγορᾶι πιπράσκωσιν, ὡς μένηι [. . . . . . ἵνα τὸ διὰ τὰ] || εἰσαγώγια ὄφελος εἰς μέγα τι ἀπαντήσηι· τ[οὺς δὲ . . . . . . . . . .] | καὶ τοὺς πάλιν καπηλεύοντας πεπαῦσθ[αι . . . . . . . . . .] | βούλομαι ἢ ἔνδειξιν αὐτῶν γείνεσθαι πρ[ὸς τ]ὸν κ[ή]ρυκα τῆς ἐξ Ἀ|ρείου πάγου βουλῆς· τὸν δὲ εἰσάγειν εἰς το[ὺς Ἀ]ρεοπαγείτας, τοὺς δὲ | τειμᾶν ὅτι χρὴ παθεῖν ἢ ἀποτεῖσαι· πιπρασκέ[τω]σαν δὲ πάντα ἢ αὐτοὶ οἱ || κομίζοντες ἢ οἱ πρῶτοι παρ᾽ αὐτῶν ὠνού[με]νοι· τὸ δὲ καὶ τρίτους ὠ|νητὰς γεινομένους τῶν αὐτῶν ὠνίων με[τα]πιπράσκειν ἐπιτείνει | τὰς τειμάς. Ταύτην τὴν ἐπιστολὴν στήληι ἐ[γ]γράψαντες ἐν Πειραεῖ | στήσατε πρὸ τοῦ δείγματος. Εὐτυχεῖτε. |

Ἐπιμελητεύοντος τῆς πόλεως Τ. Ἰουλίου Ἡρωδιαν[οῦ] Κολλυτέως.

From Athens. In this letter there appears to be an interesting attempt on the part of the writer of the letter to reduce the high cost of living in Athens by suppressing the middleman. Merchandise brought into the city must be retailed by the importer, or by the first purchaser. Possibly the law dealt only with the importation of fish. The arrogance of the fishermen at Athens was proverbial, and it is possible that the dealers in the fishmarket had combined to compel higher prices; *cf.* Wilhelm, *Jahreshefte d. öst. arch. Inst.* 12 (1909), 146*f.* Athens, though a free city, was unable to cope with her own problems, and appealed to the emperor (?), probably through the *curator rei publicae,* to devise legislation which would prevent speculation and consequent advancement in the cost of food supplies (*cf.* no. 65*a*). For a list of *curatores* at Athens, *cf. R.E. s.v. curator.* On the importance of the Areopagus as a court in Roman times, *cf.* Mitteis, *Reichsrecht und Volksrecht,* 86, n. 4.

### 92. EDICTUM IMPERATORIS HADRIANI (?) DE VECTIGALIBUS

(117–138 p. Chr.)

*IG.* II and III (*editio minor*), 1104.

. . . . . . . . δέχονται τὸ ἀργύριον, ἐπιτίμιον ὁριζέτωσαν | αὐτοῖς κατὰ τὴν τῆς ἀπε[ι]θίας ἀξίαν· ἐ[ὰν] δ[ὲ] οἱ πα|ραδο[θέ]ντες εἰσφέρειν μὴ βούλωνται, [εἶ]τα | ὑπεύθυνοι ἔστωσαν πρῶτον μὲν ἑκατοστιαίων τόκω[ν], ‖ ἀφ᾽ οὗ δέον ποιήσασθαι τὴν εἴσοδον οὐκ ἐποιήσαν|το, μέχρι μηνῶν ἄλλων δύο τῆς τελευταίας ἀπο-|δόσεως, μετὰ δὲ τοὺς μῆνας τούτους εἰ μένοιεν | μὴ πειθόμενοι, ἀποδόσθωσαν οἱ ἀργυροταμίαι μετὰ | τοῦ κήρυκος τὰς ὑποθήκας, ἐ[χόν]των αὐτὰς ἐξουσίαν ‖ λύσασθαι ἑξήκοντα ἡμερῶν πρῶτον μὲν τῶν δεδωκότ|ων, εἶτα καὶ τῶν ἐγγυητῶν οἵτινες ὑπεύθυνοι τῶν | ἐνδεησάν[τω]ν ΟΦΕΛΟΥΥΠΕΥΘΑΝΟΕΙΤΩΝΕΝΔΕΗΣΑΤΩΝ | Οφ ἑξήκοντα ἡμαιρῶν ὀφίλουσιν ἐκτεῖσαι.

This inscription from Athens is assigned by Boeckh (*CIG.* 354) to the time of Hadrian. The document appears to be an imperial edict regulating the collection of taxes. These were farmed out to contractors who were required to furnish securities for the proper fulfilment of their obligations. Those who failed to comply with the terms of their contract were fined. In case of refusal to pay the fine, interest was charged on the amount due on the defaulted payment. If, after two months, the contractor was still recalcitrant, the securities must be sold at public auction under the privilege of redemption.

## 93. SERMO ET EPISTULAE PROCURATORUM DE TERRIS VACUIS EXCOLENDIS

(117–138 p. Chr.)

Carcopino, *Mélanges de l'école franç. de Rome*, 26 (1906), 365–481; *An. ép.* 1907, no. 196; Bruns, 116; Girard, p. 874; Riccobono, p. 357.

Col. I *Coloni*. . .tuani rogamus, procurato|*res*, *per pro*videntiam vestram, quam | *nomine Ca*esaris praestatis, velitis nobis | *et utilitati* illius consulere, dare no||b*is eos agros* qui sunt in paludibus et | in silvestribus instituendos olivetis | et vineis, lege Manciana condicione | *s*altus Neroniani vicini nobis. Cu*m* | *e*deremus hanc pe*titi*onem nostr*am* || *fu*ndum suprascriptum N|*eronianum* | *i*ncrementum habit*atorum*. . . . .|

(*Desunt versus circa octo*)

Col. II . . . . . .iubeas. Sermo procurato*rum im*|p(eratoris) *C*aes(aris) Hadriani Aug(usti). Quia Cae*sar n*(*oster*) *pro* | infatigabili cura sua, per qu*am adsi*|due *pro* humanis utili*ta*tibus excu*bat*, *om*||nes partes agrorum, *qua*e *tam oleis* aut | vineis quam frumentis aptae sunt *ex*|coli iubet, itcirco permissu prov*id*|*en*tiae eius, potestas fit omnibus e*tia*|m eas partes occupandi, quae in c*ent*||*u*ris elocatis saltus Blandiani *et* U|*d*ensis *et in illi*s partibus sunt q*uae ex* | *saltu Lamiano et Domitiano iunctae* | *Thusdritano sunt nec a conductoribus* | *exercentur* cet.

Col. III Fruc*tuum quam coloni* ob su*mmam Caes. cle*|*mentiam is qui lo*ca neglecta a *conduc*|*toribus o*ccupaverit, qua*e da*|*ri sol*ent, tertias partes fructuu*m* || *dabit*; *de* eis quoq(ue) regionibus qu|*ae ex* Lamiano et Domitiano | *saltu* iunctae Tuzritano sunt | *tantundem* dabit. De oleis quas quis*que* | *aut in scrobibu*s *po*suerit aut oleas*tr*||*is inseruerit*, c*aptor*um fruct*uum* | *nulla pars decem proximis annis exige*|*tur* cet.

Col. IV *E*arinus et Dor*yph*o*r*us Primige*nio* | *s*uo salutem. Exemplum epistulae scrip|tae nobis a Tutilio Pudente egregio viro | ut notum
5 haberes et it quod subiectum est || *ce*leberrimis locis propone. Verridius | Bassus et Ianuarius Martiali suo salut*em.* | Si qui agri cessant et rudes sunt, *si qui sil*|vestres aut palustres in eo sal*tuum trac*|*tu*, *v*olentis lege Manci*ana colere ne prohibeas.*

III, ll. 1–2. fructuum...qui, *Schulten, from the letters remaining.*

A stone inscribed on all four sides found at Aïn-el-Djemala in Tunis in 1906. The upper and lower parts of the stone are lacking. The principal commentaries on it are those of Carcopino, *loc. cit.*; Mispoulet, *Nouv. rev. hist. d. droit fr. et étr.* 31 (1907), 5–48; Schulten, *Klio*, 7 (1907), 188–212; Carcopino, *Klio*, 8 (1908), 154–185.

The inscription belongs to the time of Hadrian; *cf.* col. II, l. 2. Different explanations have been given of the contents of the document by different commentators. To follow the analysis of Rostowzew (*cf. Gesch. d. röm. Kol.* 334 *ff.*), which seems the most convincing, of the officials mentioned in the document, Earinus (or Carinus) is probably procurator of the *saltus* or *regio* concerned; Doryphorus, his *adiutor*; Verridius Bassus, *procurator tractus*; Januarius, his subordinate; Martialis, perhaps a secretary; Tutilius Pudens is one of the predecessors of Verridius Bassus in the office of *procurator tractus.* The document then seems to be made up of the following parts: (1) a petition addressed to the *procurator tractus Carthaginiensis* (*tuani...incrementum habit.*) by the *coloni* of a certain *saltus*; (2) a letter from Tutilius Pudens, a former *procurator tractus*, to Primigenius, of which only the word *iubeas* is extant. This letter Primigenius had neglected to publish; (3) the *sermo procuratorum*, extending through *exigetur cet.* The *sermo procuratorum* recited the apposite parts of the general statute, known as the *lex Manciana*, with the proper adaptation to the *saltus* concerned; (4) a letter of the *procurator saltus* and his assistant to Primigenius, and (5) a letter to Martialis. Earinus and Doryphorus speak of sending a copy of a letter by Tutilius Pudens and a document appended to it (*it quod subiectum est*). The appended document is of course no. 3 (*cf.* Rostowzew, *op. cit.* 334). The *lex Manciana*, to which the petitioners refer, was a Flavian statute, drawn up perhaps by a legate of Vespasian (*cf.* Rostowzew, *op. cit.* 336). This law was modified in some respects by the *lex Hadriana*. To the later law, however, the petitioners make no reference. In the general statute the *maxima* and *minima* of the contributions (*partes*) and the days' work (*operae*) required of *coloni* were probably fixed. In the *sermo procuratorum*, within the ranges fixed by the law, the contributions and services required of the *coloni* of the *saltus* concerned were established. This became the *lex saltus*, and, since it was under the protection of the *numen* of the emperor, it was inscribed on an altar; *cf. ara legis Hadrianae* (Bruns, 115). By comparing the extant portions of the *ara legis Hadrianae* with those of our inscription, we are able to fill out large lacunae in both documents. In this way the long italicized passages in cols. II and III of this inscription have been restored. In their petition the *coloni* ask permission to bring waste land under cultivation. Their request is granted not only for land never before cultivated but also for land which has been out of cultivation for ten years, with the further concession, that, for a fixed term of years, the tenants shall not be obliged to pay a part of the produce as rental (*cf.* col. III). Whether the provisions of the *lex Hadriana*, upon which the procurator bases his decision (*cf.* col. II), applied only to a specified number of imperial domains, to all those in Africa, or to imperial domains, wherever situated, is a matter of dispute. Probably the regulations applied to Africa only. For the organization of a *saltus*, *cf.* pp. 17 *ff.*

## 94. TITULUS HONORARIUS

(117–138 p. Chr.)

*CIL.* II, 5941; Dessau, 6954.

L. Aemil. M. f. M. nep. Quirina Rectus domo Roma, qui et Karth. | et Sicellitanus et Assotanus et Lacedaemonius et Bastetanus | et Argius, scriba quaestorius, scriba aedilicius, donatus equo publ. | ab imp. Caesare Traiano Hadriano Aug., aedilis coloniae Karthagi., patronus rei publicae Assotanor. testamento suo || rei 5 pub. Assotan. fieri iussit, epulo annuo adiecto.

Set up at Asso near Caravaca in Spain. Rectus was a Roman

citizen and also a citizen of five other municipalities, one in Africa, two in Spain and two in Greece (*cf.* no. 24), a municipal official in Carthage and patron of Asso. He probably owed these honors to the favor of Hadrian.

### 95. TITULUS HONORARIUS

(119–138 p. Chr.)

*CIL.* II, 3239.

*Imp. Caesari divi* | Trai*ani Parthici* | f. divi *Nervae n.* | Traia*no Hadri*||ano *Aug., pont. max.,* | trib. *pot. . . . . . cos.* | III, p. p., im*p. II opt. max.* | q. pri*ncipi restitu*|tori m*unicipii* || Ilugo*nenses d. d.*

Found at Ilugo in Tarraconensis. Whether we should restore *restitutori*, *fundatori* or *conditori* Mommsen considers uncertain. The importance of the inscription for us lies in the fact that it seems to record the elevation by Hadrian of a *civitas stipendiaria* to the position of a *municipium.*

### 96. SENATUS CONSULTUM DE NUNDINIS SALTUS BEGUENSIS

(138 p. Chr.)

*CIL.* VIII, 270 = VIII, *S.* 11451; Bruns, 61; Riccobono, p. 236.

S.C. de nundinis saltus Beguensis in t(erritorio) | Casensi, descriptum et recognitum ex libro sen|tentiarum in senatu dictarum Kari Iuni Nigri, C. Pompo|ni Camerini cos., in quo scripta erant A*fr*icani iura et id || quod i(nfra) s(criptum) est. Idibus Oct. . . . In comitio in curia Iu*l*(*ia*) | adfuerunt Q. Gargilius Q. f. Antiq(u)us, Ti. Cl. Ti. . . . Pa*l*. Quar*t*inus, | C. Oppius C. f. Vel. Severus, C. Herennius C. f. Pa*l*. Caecilianus, M. Iu*l*. | M. f. Quir. Clarus, P. Cassius P. f. Cla. Dexter q(uaestor), P. Nonius M. f. Ou*f*. Mac|rinus q. In senatu fuerunt c. ||

S.C. per discessionem factum. Quod P. Cassius Se|cundus, P. Delphius Peregrinus Aleius Alennius Maxi|mus Curtius Valerianus Proculus M. Nonius Mucianus | coss. verba fecerunt de desiderio amicorum Lucili Afri|cani c. v., qui petunt: ut ei permittatur in provincia Afric(a), regione || Beguensi, territorio Musulamiorum, ad Casas, nundinas | IIII nonas Novemb. et XII k. Dec., ex eo omnibus mensibus IIII non. | et XII k. sui cuiusq(ue) mensis instituere habere, quid fieri | placeret,

de ea re ita censuerunt: permittendum Lu|cilio Africano, c. v., in provincia Afric(a), regione Beguensi, || territorio Musulamiorum, ad Casas, nundinas IIII non. | Novemb. et XII k. Decembr. et ex eo omnibus mensibus IIII non. et XII k. | sui cuiusq(ue) mensis instituere et habere, eoque vicinis | advenisq(ue) nundinandi dumtaxat causa coire conve|nire sine iniuria et incommodo cuiusquam liceat. ||

Actum idibus Octobr. P. Cassio Secundo, M. Nonio Muciano. | Eodem exemplo de eadem re duae tabellae signatae sunt. | Signatores: T. Fl(avi) Comini scrib(ae), C. Iuli Fortunati scrib(ae), | M. Caesi Helvi Euhelpisti, Q. Metili Onesimi, C. Iuli Peri|blepti, L. Verati Phile(rotis), T. Fl(avii) Crescentis.

Two stones, upon each of which the entire inscription was cut, were found in 1860 and 1879 respectively in Henschir Begar in Tunis. For a commentary on the inscription, *cf. E.E.* 2, 271 *ff.* The inscriptions were perhaps cut in the third or fourth century. Permission to establish markets was granted sometimes by the senate (*cf.* Plin. *Epp.* 5. 4; Suet. *Claud.* 12) and sometimes by the emperor (*cf. Dig.* 50. 11. 1). The *liber sententiarum in senatu dictarum*, from which this document was copied, is known more commonly as the *acta senatus* (*e.g.* Suet. *Iul.* 20; *Aug.* 5. 36) or *acta patrum* (Tac. *Ann.* 5. 4) or *commentarii senatus* (Tac. *Ann.* 15. 74). On the senatorial archives *cf.* p. 233, n. 7. It is interesting to notice that parliamentary forms are still followed rather strictly, even in the manner of voting, of requiring a quorum, and of appointing a committee to draft the motion.

## 97. EPISTULA CORNELI PROCULI, LEGATI LYCIAE, AD COMMUNE LYCIORUM

(139 p. Chr.)

Cagnat, *IGRR.* 3, 739, c. 28; Lafoscade, 108.

Ἐπὶ ἀρχιερέος Ἰάσον[ος τ]οῦ Νεικοστράτου, | Πανήμο[υ] κα′, [Κορνήλ]ιος Πρόκλος, | πρεσβευτὴς ἀντισ[τράτηγος α]ὐτοκράτορος, τῶι κοιν[ῶι Λυκίων χαίρει]ν. Καὶ | παρὼν ἔ[γνωκα, ὅτι ἃς μετὰ πλείστης (?)] || σπουδῆ[ς πρ]ὸς Ὀπραμόαν [Ἀπολλ]ωνίου | δὶς το[ῦ] Καλλιάδου καὶ ὅ[τε ἀντέτ]αττον | τειμὰς *ἐψηφίσασθε, ταύτας νῦν καὶ ἡνίκα | ἔξεστιν ἀποδοῦναι βούλεσθε, τοῦτο συν|χωρήσαντος τοῦ μεγίστου πάντων αὐτο||κράτορος, ὃς Ξανθίοις ἀνῆκε τὴν ἐπίκλησιν | τὴν ἀντικρὺς τούτων γενομένην.* Καὶ *ἐμοὶ | δὲ δοκεῖ καὶ* Ὀπραμόας *πάντων ἕνεκεν ἄ|ξιος ἐπαινεῖσθαι καὶ τειμᾶσθαι πρὸς ὑμῶν, | καὶ φιλότειμος ὢν καὶ περὶ πᾶσαν πόλιν ὡς || πατρίδα ἐσπουδακὼς καὶ τοῖς ἰδίοις ὡς κοι|νοῖς χρώμενος· ἐπαινῶ δὲ καὶ ὑμᾶς αὐ|τοὺς τοὺς τὰς τειμὰς διδόντας ὅτι ασ|. . . . . . .* (*septem versus maxime mutili; in fine:*) Ἐ*ρρῶσθαι* [*ὑμᾶς βο*]*ύλο*|[*μαι.* Ἐδ]*όθη πρὸ ια΄ κα*(*λανδῶν*) Ὀ[*κτω*]*νβρ*[*ίων*] | *ἐν* Π*ατάροις.*

See note on no. 80. In A.D. 137 the governor had vetoed the proposal of the provincial assembly to confer unusual honors on Opramoas (Cagnat, *IGRR.* 3, 739, c. 24, 26). In the following year (c. 26) the Xanthians appealed to the emperor, and the provincial assembly supported their action by passing a decree and sending an embassy to Rome. From the document which we have printed above, we learn that the emperor reversed the action of the governor in 137, and instructed the present governor to inform the assembly of his consent to grant the desired honors.

## 98. EPISTULA PROCONSULIS ASIAE L. VENULEI APRONIANI AD EPHESIOS

(ca. 138–139 p. Chr.)

Lafoscade, 94.

Οὐενουλήιος Ἀπρωνιανὸς *ἀνθύπατο*[*ς*] | Ἐ*φεσίων ἄρχουσι, βουλῆι, δήμωι χαίρε*[*ιν*]. | Ἀ*εὶ καὶ μᾶλλον ἐπιδείκνυσθε τὴν πρ*[*ὸς τὸν*] | *μέγιστον αὐτοκρ*[*ά*]*τορα ἡμῶν* [Α]*ἴλ*[*ιον*] || Ἀ*ντωνεῖνον* Σ[*εβ*]*αστὸν εὐ*[*σέβειαν* | *πάσηι τε* (?) *γν*]*ώμηι τῆς λαμπ*[*ροτάτης* | *πόλεως ὑμ*]*ῶν καὶ νῦν ψηφισά*[*μενοι ἐν* | *ταῖς ἐπιφανε*]*στάταις ἡμεῖν καὶ αἰων*[*ίοις*] | *αὐτο*[*ῦ γενε*]*θλίαις ἡμέραις καὶ θέας ἡ*[*μερῶν*] || *πέντε ἐπιτελεῖν καὶ διανομὴν τοῖς* | *πολείταις ἐκ τῶν καλουμένων εἰς τὰς* | *θυσίας ἑκάστωι δηνάριον διδόναι.* Καὶ | *ταῦτα μὲν ὑμεῖν ὀρθῶς καὶ καλῶς ὥσπερ* | *ε*(*ἰ*) *αὐτὸς εἰσηγησάμενος ἔτυχ*[*ο*]*ν* || *νενομοθετήσθω.* Ἐ*ρρῶσθαι ὑμᾶς εὔχομαι.*

An edict of Trajan had forbidden *donationes* from the municipal treasury to citizens (Pliny, *Epp. ad Trai.* 110), but in this document from Ephesus we see that, in the age of the Antonines, the town council proposed a distribution of a denarius to each citizen present at the sacrifices in honor of the emperor on his birthday, if his name was on the roll of invited guests. Endowments for such distributions were common in antiquity (Laum, *Stiftungen*, 1, 103 *ff.*; *cf.* nos. 69, 71), but we seldom find record of a direct distribution of municipal funds as proposed at Ephesus. The approval of the governor was required, and we infer from his answer that he had the right to propose legislation in the municipal council, at least in matters dealing with the finances of the city.

## 99. EPISTULA CORNELI PROCULI, LEGATI LYCIAE, AD SCRIBAM PUBLICUM MYRORUM

(140 p. Chr.)

Cagnat, *IGRR.* 3, 739, c. 34; Lafoscade, 110.

Κορνήλιος Πρόκλος, | *πρεσβευτὴς ἀντι|στράτηγος αὐ[τοκρά]|το[ρος]*, Ἰουλίωι Κα[*πετω*]||*λείνωι* [Μ]*υρέων γραμμα|τεῖ χαίρειν.* [Ο]*ἷς ἡ βου|λὴ καὶ ὁ δῆμος ὀνόμα|σιν ἐτε[ί]μησεν* Ὀ*πραμό|αν* Ἀ*πολλωνίου δὶς* || *τοῦ* Κα*λλιάδου, τού|τοις κἀγὼ τοῦτον* | *προσαγορεύεσθαι* | *συνχωρῶ, εἰ μὴ τοῦτ' ἔ[σ]|τιν ὑπεναντίον ἢ τοῖς* || *νόμοις ἢ τοῖς ἔθεσ[ι]ν* | *[τοῖς πα]ρ' ὑμε[ῖ]ν.* [Ἐ*ρρῶσ*]|*θαί σε εὔχομαι.* Ἀ*ναγέ|γραπται ἐπὶ ἀρχι(ερέως)* | [Πολ]*υχάρμ[ου]*.

*Cf.* no. 80. The city of Myra proposed to confer certain honors on Opramoas, but first asked the provincial legate if he would sanction their decree. He replied that the city could do so, if their act was not contrary to their laws or customs. In submitting their proposal to the legate, the municipal authorities were probably animated by motives of vanity, but in this way they invited the interference of the imperial authorities in local affairs (*cf.* nos. 71, 114). To some extent the powers of cities were limited by the laws of the commissioners or governor in organizing the province. Edicts were also issued by various emperors regulating the internal affairs of the municipalities. For example, Trajan issued an edict forbidding the payment of money from municipal treasuries to private individuals as gifts (Pliny, *Epp. ad Trai.* 110). Treaties made between Rome and various cities also contained clauses which gave Romans special privileges and apparently restricted the freedom of the city in giving similar rights to other aliens (*cf. IG.* VII, 20 (Tanagra) [δεδόσθαι] . . καὶ τ[ἄλλ]α πάντ[α] . . . [πλὴν εἴ τινα ἄλλως] προστέτ[ακται ἡμῖν ἐν ταῖς σ]υν[θήκαις τ]αῖ[ς γενομέναις πρὸς] Ῥωμαίους: Dio Chrys. 41, 10; *cf.* no. 19).

## 100. EPISTULA ANTONINI PII AD EPHESIOS

(140–144 p. Chr.)

Lafoscade, 51; Ditt. *Syll.*³ 849.

Αὐτοκρ[άτωρ Καῖσαρ, θεοῦ Ἁδ]ριανοῦ | υἱός, θεο[ῦ Τραϊανοῦ Παρθικοῦ υἱων]ός, | θεοῦ Νερ[ούα ἔκγονος, Τίτος Αἴλιος Ἁδρι]ανὸς | Ἀντωνεῖν[ος Σεβαστός, ἀρχιερεὺς μέ]γιστος, || δημαρχικῆ[ς ἐξουσίας τὸ . ., αὐτοκράτωρ τὸ β′], ὕπατος | τὸ γ′, πατὴρ πα[τρίδος, Ἐφεσίων τ]οῖς [ἄρχουσι καὶ τῆι] βουλῆι | [καὶ τῶι δή]μωι χαίρ̣[ειν]. | Περγαμηνο[ὺς ἀπεδε]ξάμην ἐν τοῖς π[ρὸς ὑμᾶς γ]ράμμασιν | χρησαμένο[υς το]ῖς ὀνόμ[α]σιν οἷς ἐγὼ χρῆσθαι τὴν πόλιν || τὴν ὑμετέραν̣ [ἀπ]εφ[η]νάμην. Οἶμαι δὲ καὶ Σμυρναίους κατὰ | τύχην παραλ[ελ]οιπέναι ταῦτα ἐν τῷ περὶ τῆς συνθυσίας | ψηφίσματι, τοῦ λοιποῦ δὲ ἑκόντας εὐγνωμονήσειν, ἐὰν | καὶ ὑμεῖς ἐν τοῖς πρὸς αὐτοὺς γράμμασιν ὃν [π]ροσήκει | τρόπον καὶ κέκριται τῆς πόλεως αὐτῶν [φαίνησθ]ε μεμνη||[μ]ένοι. Τὸ ψήφισμα ἔπεμψεν Σουλπίκιος Ἰου[λια]νὸ[ς ἐπίτ]ροπός μου. | Εὐτυχεῖτε. | [Τὸ] δὲ ψήφισμα ἐποίησεν γραμματεύων Πό. Οὐήδιος Ἀν[τωνε]ῖνο[ς].

From Ephesus. This letter illustrates the rivalry between Greek cities in Asia Minor for preeminence which was characteristic at this period (Cassius Dio, 52. 37. 10; Dio Chrys. 34. 48). The emperor had determined the proper rank and titles for the three cities, Ephesus, Smyrna, and Pergamum. Neither Smyrna nor Ephesus accepted his decision, and in their communications to each other had neglected to use the proper titles of honor. The Ephesians complained to the emperor, and in his reply he attempts to allay their wrath with a mild rebuke, suggesting that they also use the proper titles of honor in addressing Smyrna. This dispute raged again some years later, and was once more referred to the emperor (Aristides, περὶ ὁμονοίας ταῖς πόλεσιν; *cf.* Chapot, *La prov. rom proc. d'Asie*, 144 *f.*; Ditt. *Syll.*³ 849, n. 2).

## 101. EPISTULA IMPERATORIS ANTONINI PII AD EPHESIOS
(145 p. Chr.)

Lafoscade, 54; Ditt. *Syll.*³ 850; *I.B.M.* 3, 491.

[Αὐτοκράτω]ρ Καῖσ[α]ρ, θε[οῦ Ἁδ]ρι[ανο]ῦ | [υἱός, θεοῦ Τραϊ]ανο[ῦ Παρθ]ικο[ῦ υἱω]νός, | [θεοῦ Νερούα ἔ]κγον[ος, Τίτος] Αἴλιο[ς Ἁδρι]ανὸς | [Ἀντωνεῖνος Σεβα]στό[ς, ἀρχιερεὺ]ς μ[έγιστος, δη]μαρ||[χι]κ[ῆς ἐξουσίας] τὸ ηʹ, α[ὐτοκράτωρ τ]ὸ βʹ, ὕπα[τ]ος [τὸ δʹ, πα]|τὴρ π[ατρίδος, Ἐφεσί]ων τοῖς [ἄρ]χουσι καὶ τ[ῇ] βουλῇ καὶ | [τῷ δήμῳ χ]αίρε[ιν. Τ]ὴν φιλοτιμίαν ἣν φιλοτιμ[εῖται | πρὸς ὑμ]ᾶς Ο[ὐήδιο]ς̣ Ἀντωνεῖνος ἔμαθον οὐχ οὕτ̣ω[ς] ἐκ | τ̣ῶν ὑμετέρω[ν γραμ]μάτων ὡς ἐκ τῶν [ἐκ]είνου· βουλόμε||νος γὰρ παρ᾽ ἐμοῦ τυχεῖν βοηθείας [εἰς τὸ]ν̣ κόσμον τῶν | ἔργων, ὧν ὑμεῖν ἐπηνγείλατο, ἐδήλ[ωσεν ὅσα κα]ὶ ἡλίκα οἰ|κοδομήματα προστίθησιν τῇ πόλ[ει, ἀλλ᾽ ὑμ]εῖς ο[ὐκ] ὀρ|θῶς ἀποδέχεσθε αὐτόν· κἀγὼ καὶ συ[νεχώρησα α]ὐτῶ[ι ὅσ]|α ἠ̣τήσατ̣[ο], καὶ ἀπεδεξάμην ὅτι [οὐ] τὸν [συνήθη τῶ]ν πο||λειτευομένων τρόπον, οἳ τοῦ [παρ]αχρῆμ̣[α εὐδοκιμ]εῖν χά|[ρ]ιν εἰς θέα[ς κ]αὶ διανομὰς καὶ τὰ τῶ[ν ἀγώνων θέματα δαπαν]ῶ[σι | τὴ]ν φι[λοτιμ]ίαν, ἀλλὰ δι᾽ οὗ πρὸς τὸ [μέλλον ἐλπίζει σ]εμνο|[τ̣έραν ποιή]σειν τὴν πόλιν προῄρ[ηται. Τὰ γράμματα ἔπε]μψεν | [Κλ. Ἰου]λιανὸς ὁ κράτιστος ἀνθύ[πατος. Εὐτυχεῖτ]ε.

From Ephesus. This letter reveals the undercurrents of municipal life at this period. Vedius Antoninus had secured assistance from the emperor in building the Odeum at Ephesus, and had contributed generously from his own purse. The emperor rebukes the city for their lukewarmness in giving honor to Vedius because he had spent his wealth in an enduring monument instead of giving games or distributing doles to the citizens. (*Cf.* Hicks, *I.B.M.* 3, 492, 493.)

## 102. EPISTULA RUPILI SEVERI, LEGATI LYCIAE, AD LYCIARCHAM
(150 p. Chr.)

Cagnat, *IGRR.* 3, 739, c. 45; Lafoscade, 114.

Ῥουπίλιος Σεουῆ[ρ]ος Ἀν[δ]ροβίωι Λυκιάρχηι χαίρε[ιν. Ἐπε]ὶ ἡ κρα|τίστ[η] τοῦ ἔθνους βουλὴ ἐπεβοήσατο τὸ ψήφισμα δι[αγ]ρα|φῆναι ὑπὲρ Ὀπραμόα Ἀπολλωνίου πρὸς τὸν μέγιστον

*αὐ[τ]ο|κράτορα, δύνασαι ποιεῖν ὃ βούλονται.* Ἐρρῶσθαί *σε εὔχομ[αι].*

*Cf.* no. 80. The provincial assembly of Lycia requests permission of the governor to send a copy of an honorary decree to the emperor. The lyciarch is given authority to carry out the wish of the assembly.

## 103. TITULUS OPERIS PUBLICI

(152 p. Chr.)

*An. ép.* 1904, no. 21.

*Imp. Caesar* | *T. Aelius Hadrianus* | *Antoninus Aug. Pius* | *pont. max. tribu*||*ni*cia potestate XV cos. IIII | viam per Alpiis | Numidicas, ve|tustate inter|ruptam, ponti||*b*us denuo fac|*tis*, paludibus | siccatis, labibus | confirmatis, | restituit, || curante M. Valerio | Etrusco leg. suo | pr. pr.

For similar inscriptions, *cf.* nos. 31 and 72.

## 104. TRES EPISTULAE ANTONINI PII AD CORONENSES ET THISBENSES

(140–155 p. Chr.)

*IG.* VII, 2870.

I ........*δί]|καιον, ὁπότε ὑμεῖς οὐκ [ἐ]πείθεσθε τοῖς κριθεῖσιν, ἀλλὰ εἰσήιειτε εἰς τὴν ἐκείνων χώρα[ν], | κἀκείνους (ε)ἰς τὸ μὴ περ[ι]ορᾶν ὑμᾶς νέμοντας τρέπεσθαι.* Πόσον *δέ ἐστιν τὸ ὀφειλόμ[ε]||νον τέλος ἢ τίνα εἰσὶν ἃ κατεσχήκασιν ὑμῶν* Κορωνεῖς *ἐνέχυρα,* Ἀριστώνυμος || *ὁ αὐτὸς κρινεῖ.* Εὐτυχεῖτε.

II Αὐτοκράτωρ Καῖσαρ, *θεοῦ* Ἁδριανοῦ *υἱός, θεοῦ* Τραϊανοῦ Παρθι|*κοῦ υἱωνός, θεοῦ* Νερούα *ἔκγονος,* Τίτος Αἴλιος Ἁδριανὸς Ἀντωνεῖνος Σεβαστός, *ἀρχιερεὺς μέγιστος,* | *δημαρχικῆς ἐξουσίας τὸ γʹ, ὕπατος γʹ, πατὴρ πατρίδος,* Κορωνέων *τοῖς ἄρχουσι καὶ τῆι βουλῆι καὶ τῶι δή|μωι χαίρειν.* Καὶ *τοῦ θεοῦ πατρός μου δικαίως μεμνημένοι καὶ τῆς ἐμῆς ἀρχῆς κατὰ τὸ προσῆκον* || *ἐπησθημένοι καὶ ὑπὲρ τοῦ υἱοῦ μου προθύμως συνηδόμενοι πρέποντα* Ἕλλησιν *ἀνθρώποις ποιεῖ|τε.* Ἐπρέσβευεν Δημήτριος Διονυσίου, *ᾧι τὸ ἐφόδιον δοθήτω, εἰ μὴ προῖκα ὑπέσχετο.* Εὐτυχεῖτε.

III Αὐτοκράτωρ Καῖσαρ, *θεοῦ* Ἁδ[ρι]ανοῦ *υἱός, θεοῦ* Τραϊανοῦ Παρθικοῦ *υἱωνός, θεοῦ* Νερούα *ἔκγονος,* Τί|τος Αἴλιος Ἁδριανὸς

Ἀντων[εῖ]νος Σεβαστός, ἀρχιερεὺς μέγιστος, δημαρχικῆς ἐξουσίας τὸ ιη', αὐτο|κράτωρ τὸ β', ὕπατος τὸ δ', πατὴρ πατρίδος, Κορωνέων τοῖς ἄρχουσι καὶ τῆι βουλῆι καὶ τῶι δήμωι χαί|ρειν. Τῆς ἀποφάσεως ἣν ἐ[π]οιησάμην μεταξὺ ὑμῶν καὶ Θισβέων ἀπόγραφον ὑμεῖν ἔπενψα, ἐ||πέστειλα δὲ καὶ Μεστρίωι Ἀρισ[τ]ωνύμωι ἀπομετρῆσαι τὰ πλέθρα Θισβεῦσιν, ἃ προσέταξεν αὐτοῖς ὁ | θεὸς πατήρ μου παραδοθῆ[ναι], τῆς δὲ ἔξωθεν χώρας εἴ τινα Θισβεῖς ἐπινέμοιεν πείθοντες ὑμᾶς, | δώσουσιν μὲν νόμιον τέλ[ος, ἂν] δὲ καὶ ἀποδῶσιν, ὅσον ἂν ὑπὲρ τοῦ χρόνου τοῦ παρελθόντος ὀφ[εί]|λειν αὐτοὺς κριθῆι, δηλονό[τι] ὑμεῖς τὰ ἐνέχυρα αὐτοῖς ἀποδώσετε. Ἐπρέσβευον Αἴλιος Γλύκω[ν] | καὶ Διονύσιος Διονυσοδώρου, [οἷς τὸ] ἐφόδιον δοθήτω, εἰ μὴ προῖκα ὑπέσχηνται. Εὐτυχεῖτε.

From Coronea. The people of Thisbe had been encroaching on the territory of Coronea. The dispute had been referred to Hadrian and a decision rendered, but the aggressions continued. Antoninus appointed Aristonymus to survey the land, ordering both Thisbans and Coroneans to pay the taxes to the respective cities to which the disputed lands might be awarded.

## 105. EDICTUM PROCONSULIS ASIAE DE FESTIS DIEBUS EPHESIORUM

(ca. 160 p. Chr.)

*I.B.M.* 482; *CIG.* 2954; Ditt. *Syll.*$^3$ 867.

[..Πο]πίλλιος Κᾶρος Πέδω[ν] | ἀνθύπατος λέγει. | [Ἔ]μαθον ἐκ τοῦ πεμφθέντος [εἰς ἐ]|μὲ ψηφίσματος ὑπὸ τῆς λαμπροτ[ά]||της Ἐφεσίων βουλῆς τοὺς πρὸ ἐμ[οῦ] | κρατίστους ἀνθυπάτους ἱε[ρὰς] | νομίσαι τὰς ἡμέρας τῆς [πα]νη[γύρεως | τ]ῶν Ἀρτ[εμισίων] καὶ τοῦτο διατά|γματι δεδηλωκέναι· ὅθεν ἀναγκαῖ||ον ἡγησάμην καὶ αὐτὸς ἀποβλέ|πων εἴς τε τὴν εὐσέβειαν τῆς θεοῦ | καὶ εἰς τὴν τῆς λαμπροτάτης Ἐφε|σίων πόλεως τειμὴν φανερὸν ποι|ῆσαι διατάγματι ἔσεσθαι τὰς ἡμέρας || ταύτας ἱερὰς καὶ τὰς ἐπ' αὐταῖς ἐκε|χειρίας φυλαχθήσεσθαι· προεστῶ|τος τῆς πανηγύρεως | Τίτου Αἰλίου Μαρκιανοῦ Πρίσκου | τοῦ ἀγωνοθέτου, ὑοῦ Αἰλίου || Πρίσκου, ἀνδρὸς δοκιμωτάτου καὶ | πάσης τειμῆς καὶ ἀποδοχῆς ἀξίου.

From Ephesus. The governor of Asia had, apparently, given offence to the citizens of this city by transacting public business—possibly holding court—on days sacred to Diana. The Ephesians lodged a protest, citing the edicts of former governors regarding their holy days. The second part of the inscription, omitted here, contains a decree of the city making the whole of the month Artemision sacred to the goddess.

## 106. SENATUS CONSULTUM DE CYZICENIS

(138–160 p. Chr.)

*CIL.* III, *S.* 7060; *E.E.* 3, 156; Dessau, 7190; Bruns, 62; Riccobono, p. 237.

*S.C. de p*ostulatione Kyzicenor. ex Asia, | qui dicunt ut corpus quod appellatur ne|on et habent in civitate sua auctoritate | *amplissimi o*rdinis confirmetur. Scri||*bendo adfue*runt M. Aelius imp. Titi Aeli | *Hadriani An*tonini *f.* Pap. Aurelius Ve|*rus*,. . . .s M. f. Gal. Verus, M. Hosidius | M. *f.* A. . .*Get*a, M. Annius M. f. Gal. Libo, Q. | Pomp*eius* Q. f. Hor. Bassianus, L. Fl. L. f. || Quir. Iulianus, L. Gellius L. f. Ter. Severus, | q(uaestores). Sententia dicta ab Appio Gallo | cos. desig. relatione IIII concedente | imp. Caes*are Tito A*elio Hadriano An|to*nino Aug. Pio*. . .IIII relatione sua || . . . .*Kyzicen*os ex Asia | . . . .*quos neos a*ppellant. . . .

A stone tablet found in 1876 on the site of Cyzicus, now in the British Museum. Cyzicus was a *civitas libera* (*cf.* Chapot, *La prov. rom. proc. d'Asie*, 115) in the senatorial province of Asia. As Kornemann has shown (*R.E.* 4, 408 *ff.*), the imperial policy in the matter of associations was determined by the *lex Iulia* of Augustus (*cf. CIL.* VI, 2193). Under this law only useful organizations were allowed, and a new association must secure the consent of the senate and the approval of the emperor. Under the early empire the senate took action even on requests from cities in imperial provinces (*cf. CIL.* V, 7881), but gradually its competence was restricted to Italy and the senatorial provinces, as in this case, and in the course of time, even in senatorial provinces, the consent of the emperor was the determining factor. In the cities of the East particularly the central government was chary of allowing the formation of clubs, because of their tendency to develop into political organizations (*cf.* Plin. *Epp. ad Trai.* 33, 34). On the danger attending the formation of *corpora neon* (= *iuvenum*), Mommsen cites *Dig.* 48. 19. 28, 3, from the third century, *solent quidam, qui volgo se iuvenes appellant, in quibusdam civitatibus turbulentis se adclamationibus popularium accommodare.* The emperor had the right to present the first four motions at a meeting of the senate, but in this case he conceded his right to the fourth motion (*cf.* l. 12) to the *consul designatus* (*cf.* Mommsen, *St. R.* 2, 898, n. 4). The words *sententia dicta* show that the stone gives an extract from the *Acta Senatus* rather than the *S.C.* itself. After 11 B.C. the *Acta Senatus* were in charge of the quaestors.

## 107. TITULUS HONORARIUS

(138–161 p. Chr.)

*CIL.* xii, 594; Dessau, 6988.

*P*agani pagi Lucreti, qui sunt fini|bus Arelatensium loco Gargario,
Q. Cor. | Marcelli lib. Zosimo iiiiiivir Aug. col. Iul. | Paterna
Arelate ob honorem eius, qui notum (*sic*) fecit || iniuriam nostram 5
omnium saec*ulor*um sacra|tissimo principi T. Aelio Antonino *Pio*,
..r Romae | misit per multos annos ad praesides pr*ovinci*ae per-
se|cutus est iniuriam nostram suis in*pendiis e*t ob hoc | donavit nobis
inpendia quae fecit, ut omnium saecu||lorum sacratissimi principis 10
imp. Caes. Antonini Aug. Pii | beneficia durarent permanerentque
quibus frueremur | ....et balineo gratuito quod ablatum erat
paganis | *pagi Lucreti*, quod usi fuerant amplius annis xxxx.

Found at St Jean de Garguier near Massilia. The *pagus Lucretius* was an *oppidum attributum*, which had probably been taken from Massilia and given to Arelate, because of the resistance which Massilia offered to Caesar in 49 B.C., *cf.* Marquardt, *St. Verw.* 1, 263 *f.*; Herzog, *Gallia Narbonensis*, 171 and no. 358. On *oppida attributa* and their disputes with their suzerain states, *cf.* nos. 10 and 49; pp. 10 *ff.*, 138 *ff.* In ll. 6–7 Hirschfeld would read *patienter Romae mansit.*

## 108. EPISTULA IMPERATORIS ANTONINI AD MINOETAS
(138–161 p. Chr.)

*IG.* XII, 7, 242; Cagnat, *IGRR.* 4, 1010.

[Μεινωητῶν τῆι βου]|λῆι καὶ [τῶι δήμωι χαίρειν]. . . . . | πολλῶν. . . . . . . .[τὴν ὑμετέραν πό]|λιν· καὶ γὰρ α. . . . .||ων ἐπιφανῶ[ς. . . . .πρὸς τὸν Ῥω]|μαίων δῆμον. . . . . . . . | δὲ τῆς πρὸς τὸν. . . . . . . | εὐνοίας, μάλιστα [δὲ πρὸς τὸν πατέρα Ἁδριανὸν] | Θεὸν Σεβα(σ)τόν, ὃς . . . . . . . . . . . || διατρείψας παρ᾽ ὑμε[ῖν πολλῶν . . . . . . . ἀγαθῶν] | καὶ φιλανθρώπων ε. . . . . . . . . . .|τα· ὅθεν καὶ τῶι ψηφίσ[ματι τῶι ὑμετέρωι ἐνέ]|τυχον ἡδέως, καὶ το[ῖς παρ᾽ ὑμῶν πρεσβευταῖς] | Θεοπόμπωι Ἀνόκνο[υ]. . . . . . . . . || στράτωι ἐχρημάτισα· [διὰ ταῦτα οὖν ὑμῖν ἐλευ]|θερίαν καὶ αὐτονομί[αν καὶ ἀτέλειαν, καθὼς] | παρὰ τῶν πρόσθεν α[ὐτοκρατόρων ἐλάβε]|τε, ἐβεβαίωσα, ετ. . . . . . . . . .

From Minoa in the island Amorgus. The emperor, presumably Antoninus Pius, ratifies the gift of freedom, independence, and immunity, which the city had received from former emperors. The visit of Hadrian to the islands in the Aegean was made in 123 (Weber, *Unters. Gesch. Hadr.* 142 *ff.*). Cf. nos. 40, 75.

## 109. EPISTULA PRAEFECTORUM PRAETORIO
(168–172 p. Chr.)

*CIL.* IX, 2438; Bruns, 71*b*; Riccobono, p. 260.

(1) Bassaeus Rufus et Macrin*i*us Vindex mag|(istratibus) Saepinat(ibus) salutem. |

Exemplum epistulae scriptae nobis a Cosmo Aug(usti) lib(erto) | a rationibus cum his quae iuncta erant subiecimus, et admonem||us abstineatis iniuris faciendis conductoribus gregum oviarico|rum cum magna fisci iniuria, ne necesse sit recognosci de hoc | et in factum, si ita res fuerit, vindicari. |

(2) Cosmi Aug(usti) lib(erti) a rationibus scriptae ad Basseum Rufum et ad | Macrin*i*um Vindic(em) pr(aefectos) pr(aetorio) e(minentissimos) v(iros).—Exemplum epistul(ae) scriptae mihi || a Septimiano colliberto et adiutore meo subieci, et peto tanti | faciatis

scribere mag(istratibus) Saepin(atibus) et Bovian(ensibus), uti desinant iniuriam | conductoribus gregum oviaricorum qui sunt sub cura mea facere, | ut be*ne*ficio vestro ratio fisci indemnis sit.

(3) Script(ae) a Septimiano ad Co|smum.—*Cum* conductores
gregum oviaricorum, qui sunt sub cura tua, in re presenti || subinde 15
mihi quererentur per itinera callium frequenter iniuria*m* | se accipere
a stationaris et mag(istratibus) Saepino et Boviano eo, quod in
tra*n*situ | iumenta et pastores, quos conductos habent *retineant* di-
centes fugitivos esse et | iumenta abactia habere et sub hac specie
oves quoque dominicae | *sibi pe*reant in illo tumultu: necesse habe-
*b*amus etiam *et etiam* scribere, quietius ag||erent, ne res dominica 20
detrimentum pateretur; et cum in eadem contumacia | perseverent,
dicentes non curaturos se neque meas litteras neque si tu eis |
scrips*eris ha*ut fieri re*m*, rogo, domin*e*, si tibi videbitur, indices
Basseo Rufo | et Macrin*i*o Vindici pr(aefectis) pr(aetorio) e(mi-
nentissimis) v(iris), ut epistulas emittant ad eosdem mag(istratus)
et stati|onarios........*t*andiu t*em*ere (?) *ir*ritum (?) factum est.

Found on a stone at Saepinum. The *cursus honorum* of M. Bassaeus Rufus is given in *CIL.* VI, 1599 (= Dessau, 1326). He was probably prefect of Egypt from 166 to 168 (*cf.* v. Rohden in *R.E.* 3, 103 *f.*; Meyer, *Hermes*, 32 (1897), 226). Subsequently he was made praetorian prefect. M. Macrinius Vindex was killed in 172 probably (*cf. Prosop.* 2, p. 313). Their joint incumbency of the praetorian prefecture therefore probably fell between 168 and 172. The situation which calls forth this letter is clear. The officials of Saepinum and Bovianum have illtreated the keepers of the imperial herds and wrongfully taken some of their animals. The attention of Cosmus, *a rationibus*, is called to this state of things by his *adiutor*, Septimianus, in a letter (ll. 10–24). Cosmus sends this letter with a brief superscription of his own (ll. 8–10) to the praetorian prefects, who in turn prefix a warning (ll. 1–7) to the document and send it to the magistrates of Saepinum. Our interest in the document lies primarily in the fact that it deals with a quarrel between municipal magistrates and imperial employees, and shows how such a difficulty was settled. The prefects take the action which they do in this case not as fiscal officers, but as officials charged with the maintenance of order in Italy, and this is one of the earliest

known instances of the exercise by the praetorian prefect of this function; *cf.* Mommsen, *St. R.* 2, 969, 1120.

The *stationarii* (l. 16) are in this case of course members, not of the imperial, but of the municipal police force; *cf.* Lécrivain, *Dict. Dar.* 4, 1469. For the functions of the *scrinium a rationibus*, *cf.* pp. 240 *ff.* For its organization, *cf.* Hirschfeld, 31 *ff.* On the imperial domains, *cf.* pp. 17 *ff.*

## 110. SENATUS CONSULTUM DE SUMPTIBUS LUDORUM GLADIATORUM MINUENDIS

(176–177 p. Chr.)

*CIL.* II, *S.* 6278; Dessau, 5163; Bruns, 63; Riccobono, p. 238.

. . . . . tantam illam pestem nulla medicina sanari posse. Nec poterat: verum nostri principes quibus omne studium est quanto li|bet morbo salutem publicam mersam et enectam refovere et integrae valuetudini reddere, in primis anima adverterunt quae | causa illi morbo vires daret, unde foeda et inlicita vectigalia ius haberent, quis auctor et patronus esset usurpandis quasi | legitimis, quae omnibus legibus et divinis et humanis prohibentur. ||

5 Fiscus dicebatur: fiscus non sibi, set qui lanienae aliorum praetexeretur, tertia vel quarta parte ad licentiam foedae rapinae invi|tatus. Itaque fiscum removerunt a tota harena. Quid enim Marci Antonini et *Luci Commodi* cavendum fisco cum hare|na? Omnis pecunia horum principum *p*ura est, nulla cruoris humani adspergine contaminata, nullis sordibus foedi quae|stus inquinata, et quae tam sanctae paratur quam insumitur. Itaque facessat sive illut ducentiens annu*u*m seu trecenties | est; satis amplum patr*imo*nium imperio parati*s* ex parsimonia vestra. Quin etiam ex reliquis lanistarum, quae 10 (sestertium) quingenties su||pra sunt, pars lanistis condonetur. Ob quae, oro vos, merita? Nulla sane, inquiunt, merita, set prohibiti talibus grassaturis sola|cium ferant et in posterum tanto pretio invitentur ad opsequium humanitatis. |

O magni impp., qui scitis altius fundari remedia, quae etiam malis consulunt, qui se etiam necessarios fecerint! Et iam fructus tan|tae vestrae providentiae emerg*i*t. Legebatur etiam nunc apud nos oratio; sed ubi rumore delatu*m e*st questus lanistarum recisos, fis|cum omnem illam pecuniam quasi contaminatam reliquisse, statim sacerdotes fidelissimarum Galliarum vestrarum || concursare, gaudere, inter se loqui. |

Erat aliquis, qui deploraverat fortunas suas creatus sacerdos, qui auxilium sibi in provocatione ad principes facta constituerat. Sed | ibidem ipse primus et de consilio amicorum: quid mihi iam cum appellatione? Omne onus, quod patrimonium meum opprimebat, sanc|tissimi impp. remiserunt; iam sacerdos esse et cupio et opto et, editionem muneris quam olim detestabamur, amplector. |

Itaque gratiae appellationis non solum ab illo, verum et a ceteris petitae; et quanto plures petentur! Iam hoc genus causarum diversam formam || habebit, ut appellet qui non sunt creati sacerdotes, im*m*o populus. |

Quae igitur tantis tam salutarium rerum consilis vestris alia prima esse sententia potest, quam ut, quod singuli sentiunt, quod universi | de pectore intimo claman*t*, ego censeam? |

Censeo igitur in primis agendas maximis impp. gratias, qui salutaribus remedis, fisci ratione post habita, labentem civitatium statum et prae|cipitantes iam in ruinas principalium virorum fortuna*s* restituerunt: tanto quidem magnificentius, quod, cum excusatum esset reti||nerent quae ali instituissent et quae longa consuetudo confirmasset, tamen olli peraeque nequaquam sectae suae congruere arbitra|ti sunt male instituta servare et quae turpiter servanda essent instituer*e*. |

Quamquam autem non nulli arbitrentur de omnibus, quae ad nos maximi principes rettulerunt, una et succincta sententia censendum, | tamen, si vos probatis, singula specialiter persequar, verbis ipsis ex oratione sanctissima ad lucem sententiae translatis, ne qua ex parte pravis in|terpretationibus sit locus.

Itaque censeo, uti munera, quae assiforana appellantur, in sua forma mane*a*nt nec egrediantur sump||tu (sestertium) XXX (milia). Qui autem supra (sestertium) XXX (milia) ad LX (milia) usque munus edent, is gladiatores tripertito praebeantur numero pari. Summum pre|tium sit—(*v.* 31–34 *sequuntur pretia gladiatorum*).

Et haec sit summo ac formonso gladiatori defi||nita quantitas. Utique in omnibus muneribus quae generatim distincta sunt, lanista dimidiam copiam universi numeri promisque multitu|dinis praebeat exque his qui gregari appellantur, qui melior *l*acertat*u*s erit duobus milibus sub signo pugnet, nec quisquam ex eo numero | mille nummum minore. Lanistas etiam promovendos vili studio questus: *sibi* copiam dimidiae partis praebenda*e* *negantes* esse ex nu|mero gregariorum uti sciant inpositam sibi necessitatem de ceteris quos meliores opinabuntur transferre tantisper plendi nu|meri gregariorum gratia. Itaque is numerus universae familiae aequis partibus in singulos dies dispartiatur, *ne*que ullo die minus quam || dimidia pars gregariorum sit ibi eo die dimicabunt. Utque ea opservat*io* a lanistis quam diligentissime exigatur, iniungendum | his qui provinciae praesidebunt et legatis vel quaestoribus vel legatis legionum vel iis qui ius dicunt c(larissimis) v(iris) aut procurator*ibus* maximorum | principum quibus provinciae rector mandaverit; is etiam procurator*ibus* qui provinciis praesidebunt. Trans Padum autem perque omnes Italiae | regiones arbitrium iniungendum praefectis alimentorum ⟨dandis⟩, si aderunt, vel viae curatori aut, si nec is praesens erit, iuridico vel | tum classis praetoriae praefecto. ||

Item censeo de exceptis ita opservandum, ut praecipuum mercedes gladiator sibi quisque paciscatur, eius pecuniae quae ob hanc causam excipi|ebatur, quartam portionem liber, ser*v*us autem quintam excipiat. De pretis autem gladiatorum opservari paulo ante censui secundum praescrip|tum divinae orationis, sed ut ea pretia ad eas civitates pertinea*n*t, in quibus ampliora gladiatorum pretia flagrabant. Quod si quibus civitatibus | res publica tenuior est, non eadem serventur quae aput fortiores civitates scripta sunt, nec supra modum virium onerent, sed hactenus in eundem, | ut qu*a*e in publicis privatisque rationibus repperientur pretia summa ac media ac postrema, si quidem provinciarum eae civitates sunt, ab eo || qui praesidebit provinciae opserventur, ceterarum autem iuridico vel curatori provinciae vel classis praetoriae praefecto vel procuratori | maxumorum principum, uti cuiusque civitatis potestasque ibi prima erit. Atque ita rationibus decem retroversum annorum inspectis, exemplis | munerum in quaque civitate edito*rum* consideratis, conserventur ab eo cuius arbitrium erit de tribus pretis: vel si melius ei videbitur | ex eo modo quem persequitur effici*a*t et trifariam pretia deducantur eaque forma etiam in posterum servetur. Sciantque v(iri) c(larissimi), qui procon|sules paulo ante profecti sunt, intra suum quisque annum it negotium exsequi se oportebit, ii etiam, qui non sortito provincias || regant, intra annum. | 55

Ad Galliam sed et princeps........, qui in civitatibus splendidissimarum Galliarum veteri more et sacro ritu expectantur, ne ampliore pretio | lanistae praebeant, quam binis milibus. Cum maximi principes oratione sua praedixerint fore, ut damnatum ad gladium | procurator eorum.........nisi plure quam sex aureis et nisi iuraverit. |

Sacerdotes quoque provinciarum quibus nullu*m* cu*m* lanistis nego*tium eri*t, gladiatores a prioribus sacerdotibus sus||ceptos vel 60 sibimet auctoratos recipiunt, at post editi*onem eodem* p*re*tio in succedentes tra*mitt*unt; neque singulatim aliquem | rei gladiatoriae causa vendat plure quam lanistis est pretium persolutum. |

Is autem qui aput tribunum plebei c(larissimum) v(irum) sponte ad dimicandum profitebitur, cum habeat ex lege pretium duo milia, liberatus si discri|men instauraverit, aestimatio eius post hac (sestertium) XII (milia) non excedat. Is quoque qui senior atque inabilior operam suam denuo......

l. 50. provinciae; viae, *Hirschfeld.*
l. 54. oportebit ii *for* oportere eos.
l. 56. ad Galliam...civitatibus; ad Gallicas editiones quae in civitatibus, *Hirschfeld.*
l. 58. *after* procurator eorum *some words have been lost.*

At several points in this inscription, indicated by italics, emendations of scholars have been admitted into the text. Mere orthographical or grammatical errors which do not obscure the sense have usually been allowed to stand.

A bronze tablet, found in 1888 near Italica in Baetica, now in Madrid. Commodus was named imperator in Nov. 176. He was therefore the colleague of M. Aurelius until the latter's death in 180. The inscription consequently falls between these dates (*cf.* l. 6), but since M. Aurelius was absent from Rome on a campaign against the Marcomanni from 178 to 180, this document probably falls in the year 176 or 177.

The plays and games which were given annually in all the principal towns of the empire and the yearly games at the meetings of the *concilia* (*cf.* no. 155) constituted a heavy charge on the municipal budget. At Urso in Spain in the first century B.C., each duovir and

aedile was called on to contribute at least 2000 sesterces, and the city added from the public treasury 2000 for each duovir and 1000 for each aedile (*cf.* no. 26, chapp. 70–71). Pliny's letters to Trajan refer frequently to the large sums which were being spent by the cities in his province on theatres, amphitheatres, and baths (*cf.* *Epp.* 23, 39). The gifts and bequests made by private citizens (*cf.* Liebenam, *St. Verw.* 118, n. 7; 119, n. 1) added materially to the sums spent each year. Some records of the cost of these entertainments are given by Guiraud, *Les assemblées prov.* 130. The central government was aware of the heavy financial burden which these festivals laid on the municipalities, and Cassius Dio (52. 30) makes Maecenas advise Augustus to forbid them outside of Rome, but this document contains the earliest formal action looking to economy in such matters of which we have any record. How serious the matter has become is indicated by ll. 23–24, *labentem civitatium statum et praecipitantes iam in ruinas principalium virorum fortunas.* The subject is brought before the senate in the form of an *oratio principum* (*cf.* ll. 13, 28, 47, 57). This would probably be read by the quaestor, and immediately put to vote by the presiding officer (*cf.* Mommsen, *St. R.* 2, 899; Abbott, 350). The speech which Claudius made in a similar way *de iure honorum Gallis dando* has come down to us (*cf.* no. 50 and Tac. *Ann.* 11. 24–25). This inscription contains a speech made by a senator sometime after the reading of the *oratio principum* (*cf.* *ubi rumore delatum est*, l. 13). The proposal of M. Aurelius and Commodus, like the speech of Claudius, and like the messages of the President of the United States, was probably cast in the form of a general recommendation. One of the senators, on the basis of this recommendation, proceeds to formulate a bill. His motion, following the preamble (ll. 1–22), consists of two parts: (1) a vote of thanks to the emperors (ll. 23–29), and (2) certain articles limiting the amount of money which may be spent on gladiatorial contests (ll. 29–63). The provisions of the measure are to be enforced by imperial officials (ll. 41–44, 50–55). On these officials, *cf.* Mommsen, *Ges. Schr.* 8, 509–511. To make the new arrangement easier for those who give the games, the emperors have already provided for the remission of the tax paid to the *fiscus* of one-third or one-fourth of the gains made by the *lanistae* (*cf.* ll. 5–6). The sum of 2,000,000 or 3,000,000 sesterces which the senator estimates (*cf.* l. 8) will be lost annually by the *fiscus*, in consequence of the remission of this tax, gives us some conception of the large amounts spent on these games. To the *sacerdotes Romae et Augusti*, upon whom fell the duty of arranging the games held at the annual meeting of the *concilium*, the imperial proposal appealed very strongly (*cf.* ll. 13–20). It is interesting to notice incidentally that M. Aurelius had apparently urged in support of the imperial measure the inhumanity of the gladiatorial contests (*cf.* ll. 3–8). On the salaries to be paid the gladiators, *cf.* Mommsen, *Ges. Schr.* 8, 521–531.

## 111. RESCRIPTUM COMMODI DE SALTU BURUNITANO

(180–183 p. Chr.)

*CIL.* VIII, 10570; *cf.* *S.* 14464; Dessau, 6870; Bruns, 86; Girard, p. 199; Riccobono, p. 361.

. . . . . . . .*intellegis praevaricationem* quam non mod*o* cum Allio Col. II Maximo adv*er*|sario nostro, set cum omnibus fere *con*|ductoribus contra fas atq. in perniciem | rationum tuarum sine modo exercuit, || ut non solum cognoscere per tot retro | annos instantibus ac suplicantib*us* | vestramq. divinam subscriptionem | adlegantibus nobis supersederit, ve|rum etiam hoc eiusdem Alli Maximi || conductoris artibus gratiosissimi | *ult*imo indulserit, ut missis militib. | *in e*undem saltum Burunitanum ali|*os nos*trum adprehendi et vexari, ali|*os vinc*iri, nonullos, cives etiam Ro||*manos*, virgis et fustibus effligi iusse|*rit, scilic*et eo solo merito nostro, qu|*od venientes* in tam gravi pro modulo me|*diocritat*is nostrae tamq. manifesta | *iniuria im*ploratum maiestatem tu||*am acerbiore* epistula usi fuissemus. Cu|*ius nostrae in*iuriae evidentia, Caes., | *inde profec*to potest aestimari, qu|*od*. . . . . .quidem, quem maiesta|*t*. . . . .*ex*sistimamus vel pro || . . . . . . . . . . .t omnino cognos |. . . . . . . . . . .plane gratificati | . . . . . . . . . . .mum invenerit | . . . . . . . . . .nostris, quibus |. . . . . . . . .bamus cogni || . . . . . . . . . .beret inte| . . . . . . .*praes*tare operas | . . . . . . . . . . .ret ita tot re|*tro*. . . . .t tu. . . .(*deficiunt quaedam*).

*Quae res co*mpulit nos miserrimos homi|*nes iam rur*sum divinae Col. III providentiae | *tuae supl*icare, et ideo rogamus, sa|cratissime imp.,

subvenias. Ut kapite le||gis Hadriane, quod supra scriptum est, ad|emptum est, ademptum sit ius etiam proccb., | nedum conductori, adversus colonos am|pliandi partes agrarias aut operar. prae|bitionem iugorumve et ut se habent littere || procc. quae sunt in ta*b*ulario tuo tractus Kar|thag., non amplius annuas quam binas | aratorias, binas sartorias, binas messo|rias operas debeamus, itq. sine ulla contro|versia sit, utpote cum in aere inciso et ab || omnib. omnino undiq. versum vicinis nost. | perpetua in hodiernum forma pra*e*st*it*u|tum et procc. litteris quas supra scripsimus | ita conf*ir*matum. Subvenias, et cum homi|nes rustici tenues man*u*um nostrarum ope||ris victum tolerantes conductori profusis | largitionib. gratiosismo (*sic*) impares aput | procc. tuos simu*s*, quib. *pe*r vices successi|on. per condicionem conductionis notus est, | miser*ear*is ac sacro rescripto tuo n. ampli||us praestare nos, quam ex lege Hadriana et | ex litteras procc. tuor. debemus, id est ter | binas operas, praecipere digneris, ut bene|ficio maiestatis tuae rustici tui vernulae | et alumni salt*u*um tuorum n. ultr. a conduc||torib. agror. fiscalium inquietem*ur* (*deficiunt quaedam*).

Col. IV *Imp. Ca*es. M. Aurelius Commodus An|*toni*nus Aug. Sarmat. Germanicus | Maximus Lurio Lucullo et nomine a|liorum. Procc. contemplatione dis||cipulinae et instituti mei ne plus | quam ter binas operas curabunt, | ne quit per iniuriam contra perpe|tuam formam a vobis exigatur. | Et alia manu: scripsi. Recognovi. || Exemplum epistulae proc. e. v. | Tussanius Aristo et Chrysanthus | Andronico suo salutem. Secundum | sacram subscriptionem domini n. | sanctissimi imp., quam ad libellum || suum datam Lurius Lucullus *accepit* . . . . . . (*deficiunt versus sex*) *et ali*|a manu: *opt*amus te feli|cissimum be*ne vive*re. Vale. Dat. | pr. idus Sept. Karthagini. || Feliciter | consummata et dedicata | idibus M*a*is Aureliano et Corne|lian*o* cos. Cura agente | C. Iulio P*e*lope Salaputi, mag(istro).

Engraved on a stone found in 1879 at Souk-el-Khmis, the ancient saltus Burunitanus, in northern Africa. The inscription is in four columns. Of these the first is almost entirely lost; on the lower part of the second column, the lines are broken on the left side; the third and fourth columns are intact. Commodus took the title of Pius in 183. The inscription therefore falls between 180 and 183. The most important commentaries on it and on related

subjects are those of Mommsen, *Ges. Schr.* 3, 153 *ff.*; Esmein, *Mélanges d'hist. et du droit*, 293 *ff.*; Fernique and Cagnat, *Rev. arch.* 41 (1881), 94 *ff.*, 138 *ff.*; Karlowa, 1, 616, 656 *f.*, 924 *ff.*; Fustel de Coulanges, *Recherches sur quelques problèmes d'histoire*, 33 *ff.*; Schulten, *Die römischen Grundherrschaften*; Beaudouin, *Les grands domains dans l'empire romain*; Schulten, *Klio*, 7 (1907), 195 *f.*; Hirschfeld, 122 *ff.*; Rostowzew, *Gesch. d. röm. Kol.* 332 *ff.* The inscription is made up of four parts: (1) the *libellus* of the *coloni* of the saltus Burunitanus (col. I, II, III); (2) the *subscriptio* of Commodus (IV, 1 *ff.*); (3) the *epistula procuratoris tractus Carthaginiensis* (IV, 10 *ff.*), addressed to Andronicus, the *procurator saltus Burunitani*; (4) the date of publication and name of the communal official. Of the people mentioned in the document, Allius Maximus (II, 2) is a *conductor*; Lurius Lucullus (IV, 2) represents the petitioners; Tussanius Aristo (IV, 11) is the *procurator tractus Carth.*; Chrysanthus is his assistant; Andronicus (IV, 12) is *procurator saltus Burunitani*; and Salaputis (IV, 29) the *magister* of the *saltus*, who probably superintends the construction of the altar on which the stone containing the inscription is cut. The tenants complain that the procurators have been unduly influenced and bribed by the contractors, that soldiers have been brought in, that they themselves have been seized and punished, and that their annual contributions of produce and labor have been raised beyond the limits fixed in the *lex Hadriana*. Heitland (*Agricola*, 347) thinks that the phrase, *alumni saltuum tuorum*, implies that their holdings had descended to the present tenants from their fathers.

Not far from the place where this inscription was found, and probably within the limits of the saltus Burunitanus, a fragment of another rescript of Commodus, addressed to Lurius Lucullus, has been discovered (*CIL.* VIII, *S.* 14451). This document is also a reply to the complaints of the *coloni*. In another *libellus* (*CIL.* VIII, *S.* 14428), addressed to the same emperor, the tenants on an imperial domain complain of the wrongs done them, and refer to the fact that they are required to furnish twelve days' work each year. Apparently there was concerted action among the *coloni* in Africa under Commodus. For similar complaints from the Orient, *cf.* nos. 141 and 142.

For an imperial reply to a similar complaint from an imperial domain in Phrygia, *cf.* Bruns, 93. The appeal to the emperor in the document before us, probably through the *procurator saltus* (II, 20), was made by Lurius Lucullus, the representative of the tenants, and the emperor's rescript is addressed to Lucullus. A copy of it is sent to the *procurator tractus*, who communicates it to the *procurator saltus* (*cf. quam...accepit*, IV, 15). In their appeal the tenants rely on three documents, viz. the *lex Hadriana* (III, 5), the *litterae procuratorum* (III, 9 *f.*), and the *perpetua forma* (III, 16). For the first two documents, *cf.* no. 93 and p. 16. The *forma perpetua* is the *lex Hadriana* (*cf.* Rostowzew, *op. cit.* 332 *f.*). The *coloni* have not yet been reduced to serfdom. Some of them are Roman citizens (II, 14 *f.*). For the history of the imperial domains, their political organization, and the decline in the status of the *coloni*, *cf.* pp. 16 *ff.* For the form of an imperial *subscriptio*, *cf.* pp. 242 *ff.* The petition would go to the *scrinium a libellis.*

## 112. EPISTULA IMPERATORIS COMMODI AD CHERSONESITANOS DE CAPITULO LENOCINII

(185–186 p. Chr.)

Latyschev, 4, 81; *CIL.* III, *S.* 13750; Cagnat, *IGRR.* I, 860, ll. 32 *ff.*

E(xemplum) e(pistulae). *Τίνα ἐπέστειλα Ἀτειλίωι Πρειμι|[ανῶι καὶ ἄλλοις περὶ τοῦ πορνικοῦ τέλ]ους, ὑποταγῆναι ἐκέλευσα προνοῶν μήτε ὑμᾶς παρὰ τὰ δεδογμένα ἐνοχλί|[ζεσθαι, μήτε τοὺς ἡμεῖν ὑπηρ]ετοῦντας ὑπερβαίνειν τὸν περιγεγραμμένον ὅρον.* E(xemplum) e(pistulae). ||

*Ut scias quae sint officia militum* agentium in vexillatione Chersonessitana de capitulo lenocini quod su*b*.|......., *misi tibi exem*plum sententiae Arri Alcibiadis tunc trib(uni) praepositi eiusdem vexill*a*|*tionis*......us tam intentionem eius quam manifeste determinatam partem ad ius p*er*|*tinentem*.....et quoniam idem Alcibiades videri non ⟨po⟩potest sub tempus vent*urum*(?).|......*recuper*andae vectigalis quantitatis sponte suscepisse, cum sententiam sub iu*di*||*cii forma*.......pridem et dixerit et proposuerit et omnibus annis fisco pariaverit, dubium n*on est* | *debere et circa vectigalis* quantitatem et circa discipulina(e) ratione(m) et observare et obtin*ere* | *volo, eius sententiae* exemplum aperta manu scriptum, unde de plano recte legi possit iuxta | . . . . . . . . positum esse cura.

E(xemplum) e(pistulae). Quid scripserim Atilio Primiano tr*ibuno* | . . . . . . rio commilitionum, quod ad me⟨e⟩ idem tribunus propter capitulum le*no*||*cini* . . . . . . *s*ecundum formam sententiae Arri Alcibiadis tunc trib(uni) dictae om . . | . . . . . *causas ne quid advers*us discipulinam vel cum iniuria aut contumelia paganorum commit*tatur.* |

E(xemplum) e(pistulae). Quid ad decretum Chersonessitanorum rescripserim, co|*gnoscetis ex iis quae* . . . . . . . es subici praecipi, et rursum admoneo caveatis ne sub obtentu hu*ius*|*modi inquisitionis milites ordinata*m iam pridem placitam ac custoditam cum dispendio vestrae exsist*ima*||*tionis* . . . . . . . . . *i*nquietent vel innovare quid temptent.

[Ἀνεστάθη(?) . . . . . . .] ἐπὶ ἀρχόντων τῶν περὶ Μ. Αὐρ. Βασιλειδιανὸν Ἀλεξάνδρον· [Ἐπρέσβευον(?) . . . .] Φλ. Ἀρίστων καὶ Οὐαλέριος Γερμανός.

From the Tauric Chersonesus. We have omitted the fragmentary beginning of this bilingual document (ll. 1–31). The citizens of Chersonesus had appealed to the emperor Commodus in regard to the collection of the tax on prostitutes (ll. 13–31 in the part omitted). This was an imperial tax first instituted by Gaius (Suet. *Gai.* 40), and collected by officers of the army. The evidence for this tax under the empire is collected by Domaszewski in editing the inscription (*CIL.* III, *S.* 13750). Apparently there had been some dispute between the municipality and the officials who collected the tax. The emperor, in his letter to Primianus the chiliarch and Valerius Maximus the centurion, bids them to collect the tax without offence to the citizens and without exceeding the amount prescribed. For the exactions of the soldiery, *cf.* pp. 136 *f.*, and nos. 68, 139–144.

## 113. EPISTULA IULI SATURNINI, LEGATI SYRIAE, AD PHAENESIOS

(185–186 p. Chr.)

Cagnat, *IGRR.* 3, 1119; Ditt. *Or. Gr.* 609; Lafoscade, 117.

*Ἰούλιος Σα|τουρνῖνο|ς Φαινησί|οις μητρο||κωμίαι τοῦ | Τράχωνος |χαίρειν. | Ἐάν τις ὑμῖν | ἐπιδημήσηι || βιαίως στρα|τιώτης ἢ | καὶ ἰδιώτης, | ἐπιστείλαν|τές μοι ἐκ||δικηθήσεσ|θαι· οὔτε | γὰρ συνεισ|φοράν τι|να ὀφείλε||τε τοῖς ξέ|νοις, καὶ ξε|νῶνα ἔχον|τες οὐ δύ|νασθε ἀνα||νκασθῆ|ναι δέξασ|θαι ταῖς οἰ|κίαις τοὺς | ξένους. Ταῦ||τά μου τὰ | γράμματα | ἐν προδήλ|ωι τῆς μη|τροκωμί||ας ὑμῶν χ|ωρίωι πρόθ|ετε, μή τις | ὡς ἀγνοή|σας ἀπολο||γήσηται.*

The date of this inscription from Phaena in Syria is determined by Harrer (*Studies in the History of the Roman Province of Syria*, 40). The villagers complained to the governor that they had been compelled to furnish *hospitium* to soldiers and others, although there was an official hostel in their village. For similar complaints, *cf.* nos. 139, 141–144.

## 114. EPISTULA PROCONSULIS LYCIAE ET PAMPHYLIAE AD SIDYMEOS

(185–192 p. Chr.)

Cagnat, *IGRR.* 3, 582; *T.A.M.* 2, 175.

*Ἐπὶ ἀ[ρχ]ιερέος τ[ῶν Σεβα]στῶν Διογέν[ους] γ′ τοῦ Μητροδώρου, Δείου β′, εἰσηγησ[α]μένου τοῦ γραμ|ματέως τῆς βο[υλῆς Δη]μοσθένους το[ῦ Ἀν]δροβίου, ἐπιψηφισαμένου δὲ τοῦ ἱερέος τῶν Σεβαστῶν Ἀλεξάν|δρου τοῦ Λύσω[νος]. Ἐπεὶ διὰ τοὺς [εὐ]τυχεστάτους καιροὺς τοῦ θειοτάτου Αὐτοκράτορος Καίσαρος | . . . . . . . . Σεβαστοῦ Εὐσεβοῦς Εὐτυχοῦς, καὶ διὰ τὴν τοῦ κρατίστου || ἀνθυπάτου Γαίου Πομπωνίου Βά[σ]σου Τερεντιανοῦ περὶ τὰς πόλεις αὔξησιν, καὶ ἡ ἡμετέρα | πόλις ἐψηφίσατο σύστημα γεροντικὸν κατὰ τὸν νόμον, ἐννόμου βουλῆς καὶ ἐκλησίας ἀγομέ|νης, ἔδοξεν γραφῆναι ψήφισμα τῶ κρατίστω ἀνθυπάτω δι' οὗ παρακληθῆναι καὶ αὐτὸν συνεπικυρῶσαι | τὴν τῆς βουλῆς καὶ τοῦ δήμου κρίσιν Χ δι' ἃ τύχη ἀγαθῆ δεδόχθαι Σιδυμέων τῆ βουλῆ καὶ τῶ δήμω | συνγεγράφθαι τόδε τὸ*

*[ψ]ήφισμα ὃ καὶ ἀναδοθῆναι αὐτῶ ὑπὸ τοῦ ἀξιολογωτάτου Λυκιάρχου, πολεί||του ἡμῶν,* Τι. Κλ. Τηλεμάχου Ξαν[θ]ίου *καὶ* Σιδυμέος. Πομπώ(νιος) Βάσσος ἀνθύ(πατος) Σιδυμέων | *ἄρχουσι βουλῆ δήμω χαίρειν.* Τὰ *καλῶς γεινόμενα ἐπαινεῖσθαι μᾶλλον προσ|ήκει ἢ κυροῦσθαι, ἔχει γὰρ τὸ βέβαιο[ν] ἀφ᾽ ἑαυτῶν.* Ἐρρῶσθαι ὑμᾶς εὔχομαι. Ἐκομίσθη *ἐπὶ τοῦ αὐτοῦ* | Λυκιάρχου Ἀπελλαίου *κγʹ, ἐνεγράφη ὑπὸ* Εὐέλθοντος *τοῦ καὶ* Εὐτυχέους Τελεσίου Σιδυμέος | *γυμνασιαρχήσαντος τῆς γερουσίας* [π]*ρώτου.*

From Sidyma in Lycia. The name of the emperor, erased in antiquity, was that of Commodus. He received the title of Felix in 185. The city of Sidyma had decreed the formation of a *gerusia*, in accordance with the laws which regulated such association. This action was submitted to the provincial governor for approval and ratification. The proconsul replied that their action was more worthy of praise than of ratification; for worthy achievements carry their own confirmation. The phrase *κατὰ τὸν νόμον* (l. 6) seems to imply that the action of the city required the sanction of the governor before the decree was valid, but it is also possible that the request for his approval was inspired by motives of vanity. The different theories of the purpose of the *gerusia* are discussed by Chapot, *La prov. rom. proc. d'Asie*, 216 *ff.* The senate passed a decree authorizing the establishment at Cyzicus of a *neon*, or organization of young men (138–160 p. Chr., *cf.* no. 106). It may be noted that, in the later period, the Sidymeans did not think it necessary to refer the proposal for the formation of the *gerusia* to the senate. *Cf. Suppl. Ep. Gr.* I, 327, 330.

### 115. TITULUS HONORARIUS

(150–200 p. Chr.)

*An. ép.* 1902, no. 164; *Compt. rend. de l'acad. d. inscr. et bel. lettr.* 1902, 38; Dessau, 6780.

M. Servilio P. f. Quir. | Draconi Albuciano | II viro, flam. perp., | quod super multa in remp. || merita et amplissimum | munificentiae studium le|gationem urbicam gratui|tam ad Lat*ium* maius pe|tendum duplicem susce||perit tandemq. feliciter | renuntiaverit, ordo publi|ce ponendam censuit, et | cum is honore contentus | pecuniam rei p. remisis||set, populus de suo posuit.

Found at Bou-Ghara (ancient Gigthi) in Tunis. The double cognomen and the form of the inscription make it probable that it belongs to the latter half of the second century. On Gigthi, *cf.* Reid, *Municipalities of the Roman Empire*, 293, and Constans, *Nouv. arch. des missions, fasc.* 14, 1916. On *Latium minus* and *maius*, *cf.* pp. 191 *ff.* and Reid, *op. cit.* 242. The legal distinction between the two classes of rights was perhaps made by Hadrian. This inscription, with no. 95, illustrates the stages through which a village passed in its progress toward Roman citizenship. Gigthi, at first probably a *civitas stipendiaria*, had already been made a *municipium*, since it had duovirs. Now it receives *Latium maius.* For another inscription from Gigthi, *cf.* no. 161.

## 116. TITULUS HONORARIUS

(saec. I vel II p. Chr.)

Cagnat, *IGRR.* 3, 634; *T.A.M.* 2, 291.

Σέξστον Μάρκιον | Ἀπολλωνίδου υἱὸν Κυρείναι | Ἀπολλωνίδην [Ῥ]ωμαῖον καὶ | Ξάνθιον, τετε[ι]μημένον || ὑπὸ τῆς [β]ουλῆς καὶ τοῦ δήμο[υ], | οἱ ἀνειμένοι τοῦ ἐνκυκλίου | τοπικοῦ τέλους ἀνέστησαν | ἐκ τοῦ ἰδίου κατὰ τὴν διαθήκην | ἀπολιπόντος αὐ[τοῦ] εἰς τὸν || τῆς ἀτελείας λόγον ἀργυρίου | δηνάρια τρισμύρια.

From Xanthus in Lycia. Sextus Marcius Apollonides, a Roman citizen and a Xanthian, left thirty thousand denarii as an endowment to provide funds for the *munera* or for some form of local tax in his native city. In Egypt we find τὸ ἐγκύκλιον τέλος as a ten per cent. tax on sales, and it is possible that a similar tax is mentioned here. Those released from this burden set up a statue in honor of Sextus, and it is probable that a guild of merchants would render this honor, rather than hypothetical incumbents of a liturgy which might never be imposed. The sales-tax in the empire was usually one per cent. *Cf.* Hirschfeld, 73 *ff.*

## 117. HIERAPOLITANORUM DECRETUM DE PARAPHYLACIBUS

(saec. I vel II p. Chr.)

Ditt. *Or. Gr.* 527.

. . . . . . . . . . ον |

['Επὶ στρατηγοῦ Θεοφ]ίλου τοῦ β′ νεωτέρου, μηνὸς δεκάτο[υ . . . . . . . ., | ἔδοξε τῶ]ν Ἱεραπολειτῶν τῆι βουλῆι ἐπὶ τῶν ἀρχα[ι]ρεσιῶν· [τοὺς παραφύλα|κας τὸ λοιπ]ὸν ἀπ' ἑαυτῶν ἐν ταῖς κώμαις ποιεῖσθαι ἐπιδη[μίαν, ἐφ' ὧιτε || μηδὲν ἕτερ]ον αὐτοῖς παρέχειν ἢ μόνον ξύλα καὶ ἄχυρα καὶ μον[ήν, ἄλλο δὲ μηδὲν | μηδενὶ ἄ]λλωι ὧι ἄν ποτε τρόπωι. 'Εὰν δέ τις παρὰ ταῦτα ποιήσηι ἢ ἑ[τέρωι ποιοῦντι συμ|πράξηι, ἐ]λενχθέντα πεποιηκέναι προστείμου ὀνόματι εἰς [τὸ δημόσιον | κατατιθ]έναι αὐτὸν ὅσα ἂν ἐλενχθῆι εἰληπφὼς παρά τινος, ἄτι[μον δὲ | εἶναι. Καὶ τοὺς] ἐλενχθέντας παραφύλακας μὴ λαμβάνειν τὰς παρὰ τῆ[ς κώμης τιμάς || . . . . . . . . . .] ἢ κωμάρχας ἄκοντας στεφανοῦν παραφ[ύλακα, ἀποδοῦναι | αὐτὸν τὸ] ἀργύριον, ἥτις [δ'] ἂν κώμη βουληθῆι στεφανῶσαι παρα[φύλακα, . . . . . . . . . . . . . | . . . . . . . . παρὰ ταῦ]τα μηθὲν [γ]είνεσθαι· εἰ δὲ μή, τὸν ὑπεναντίως ποιήσ[αντα μὴ τιθέναι | εἰς τὸ τοῦ 'Απ]όλλωνος ἀναθήματα, ὄντος τούτου τοῦ ψηφίσματο[ς κυρίου | καὶ] ἐπέχοντος.

From a village near Hierapolis. This document contributes some information on village-government under the municipalities. The villages of Hierapolis were provided with officials called comarchs. In addition police officers were sent from the city who had been guilty of making illegal exactions from the villagers. By this decree the *paraphylaces* are placed under more strict control, and are forbidden to exact anything beyond a supply of wood for fuel, chaff for bedding, and housing during their stay. Other expenses must be met out of their own pocket. Honors must not be conferred by the village, especially under compulsion, and, apparently, if money is voted by the village to crown one of these officers, this sum must be restored.

## 118. EDICTUM AUCTORIS INCERTI AD BEROIAEOS

(saec. I–II p. Chr.)

*B.C.H.* 37 (1913), 90*f.*

........ Οὐα[λ]εριαν[ὸς (?)..|........]να Ἰ[ουλ(?)]ιανῶι [Φ]λαυίωι.......|.......λε[ιν] τὸν ἐργολάβον ὡς ὅτι μάλιστ[α ....|...] ἐὰν μὴ κα(τὰ) τὴν ἐν τῆι συνγραφῆι σύμπ[νοιαν (?)...||...συ]μφώνου πρὸς ἔκτη(ξ)ιν, ἔνοχος ἔσται οὐ πρ[ὸς (?)..|...τῶ]ν Σεβαστῶν εἰκόνας ἐστεφανουμέν[ας] ΦΛΙΡΑΜΝ[...|...τὴ]ν χρημάτων ἔξοδον τῆι πατρίδι διοικήσει ὑπ[ὲρ (?)...|..(?) καὶ τῶν τῆι] πόλει συμφερόντων, καταλιπεῖν δίκην τὴν [....|... ἔδοξέ μοι (?) τούτ]ωι τῶι διατάγματι διορθῶσαι· ἐπεὶ τοίνυν κατ[....||......]ατην προσόδωι μεγάλα λυποῦσαν, κελεύω τοὺ[ς...|..τὴν] πρόρρησιν ἀρθῆναι, εἴτε λέγεται, δέκα δύο δι[αιτητὰς (?)...|......] συντηρήσεως, διαιρουμένου τοῦ ἐνιαυτοῦ [.....|....διατ]ελῇ τὴν φροντίδα τοῦ πράγματος εἶναι πρὸς [...|.... τ]ὸν ἴδιον χρόνον ἐπιμελείας, ἐὰν κατὰ τὴν εἰ[.....||....] τῶι δὲ ἐπαφέντι κηπουρῶι καὶ ὀχετηγοῦντι δι[ὰ ...|...] ἀποτάσσω εἰς τὴν τοῦ καινοῦ βαλανείου ἐπι[μέλειαν (?)...|...]ον οὐκ ὀφέ(λ)ηι μὴ γενέσθαι· εἰ γὰρ τολμήσει ἐν τ[ῶι ...| ....]ακισχειλίοις εἰς τὸ γυμνασιαρχικόν· περὶ μὲ[ν οὖν (?)...|... δαπ]ανῶν μὴ πλέον πράττεσθαι τοῦ συνήθους ὑ[πὲρ (?)... || ... α]ὐταῖς ὑμῶν πλέονα σύνοδον ἐν ἑκάστωι μην[ὶ....|.....]των ξυλείας· εἰ μὲν ὁ χρόνος ἔτι μοι συνεχωρε[ῖτο ....|... ἐπεὶ οὖν] ἁρπάζεται τῆι ἐπείξει μου, κελεύω τοὺς γερ[ουσιαστὰς (?) ..|...]ειας, μηδὲ διὰ ταύτης τῆς αὐθαδίας, καὶ ἐνε[ργεῖν (?)..|.... τῆς τῶν] ξύλων χρήσεως ὡς ἐνδεεστάτην ὕλης, πόλε[ι...||...] μὲν γὰρ τάχα περὶ τούτου με, καὶ ἐς ἅπαν ἐπεί[γω (?) ...|... τ]ὰς τειμίας ἄξια ὡς τῶι δήμωι.....τὴν ἔκτη[ξιν (?)..|...] αὐτὸν συνκεχωρῆσθαι· ἐπεὶ οὖν τὰ ἄλλ[α διέταξα (?).... | καὶ ἐτιμωρησ]άμην τοὺς τοῦτο τολμῶντας ποιεῖν, ἀναγρ[άψαι (?)...|.....] ταμεῖον· ὀχυρώτατα τοῦτο τὸ διάταγμα βε[βαιῶ(?)..||....ἱκανὸν] ἔσται πᾶσιν εὐδίαν ἐσανάγειν. Εὐτυχεῖτε. |

(*vacat*)

Τῆι πόλει

[......Ἰ]ουλιανὸς διὰ τῆς ἐπ[αρχείας (?)...|.....τῆς ἐπιμ]ελείας τὴν στήλλην χα[ράξας ἀνέθηκεν ἐκ τῶν] ἰδίων.

This inscription was found at Beroia in Macedonia. The marble is broken on the right and left sides, and the restoration of the document is extremely problematical. The editors of the inscription suggest that it is an edict of an emperor, or the letter of a provincial governor. In brief, their interpretation of the contents is as follows: It treats of the friendly annulment of a contract which had been entered into between the city and a contractor who had undertaken some public work in which he had failed to fulfil the conditions. The suit is to be abandoned (l. 9), and apparently provision is made for some form of arbitration of claims (l. 12). The letter then takes up the case of a gardener who has diverted water from the New Baths, who is required to make amends or pay a fine to the gymnasiarch. Finally, hasty regulations are devised in regard to the supply of wood, which is becoming scarce, and the fines which are to be imposed for the violation of these provisions. It is unfortunate that the document is so fragmentary, for this might give us some information on the important question of deforestation in ancient times.

## 119. EPISTULA PROCONSULIS ASIAE AD COOS

(saec. I–II p. Chr.)

Cagnat, *IGRR.* 4, 1044; Paton and Hicks, *Inscriptions of Cos*, 26.

*[. . . . . πυθόμενος ἐκ τοῦ ὑμετ]έρου ψηφίσμα|[τος ὅτι . . . . . τὴν ἔκκ]λησιν ἔθετο ἐπὶ | [τὸν Σεβαστόν, ἱκανῶς ἠισ]θόμην ἐπηρείας | [χάρι]ν αὐτὸν [το]ῦτο πεποιηκέναι· δε||[ὸν τ]οίνυν, εἰ μὲν ἐπὶ τὸν Σεβαστὸν | [ἡ ἔκ]κλησις γείνεται, πρότ[ε]ρον ἐμὲ | [ἐξετ]άσαι τὴν αἰτίαν· εἰ δὲ ἐπ' ἐμέ, τὸ | [παρὸ]ν ἀξιόχρεως λαβεῖν τοὺς ἀ[ρ|ραβῶν]ας δηναρίων δισχειλίων π[ε]ν||[τακο(σίων) κατὰ] τὸ προτε[θ]ὲν ὑπ' ἐ[μ]ο[ῦ] σ[ύν|ταγ]μα διὰ τοὺς φυγοδ[ι]κοῦντας· | [ἐὰν δ]ὲ πρὸς ταῦτα μὴ γ . . . . .*

This inscription from Cos deals with the right of appeal. A citizen of Cos had lost his case in the local court, and threatened to appeal. The Coans sent a memorial to the governor, and his reply is recorded in this document. If the appeal is to the emperor, the governor must first examine the case to decide whether it should be forwarded to Rome. If the appeal is made to the court of the provincial governor, the appellant must provide a *cautio* of 2500 denarii, which was required by an edict of the governor in order to guard against unwarranted appeals (*cf.* Hicks, *loc. cit.*; Mommsen, *Zeitschr. d. Savigny-Stift., Roman. Abteil.* 24 (1890), 34 *ff.*; nos. 36, 40, 90, 121). Nothing in this document implies that Cos was a *civitas libera* at this time, but the fact that appeals could be taken from the local court to the governor does not necessarily imply that Cos was a part of the province of Asia (*cf.* no. 90). On the status of Cos, see Chapot, *La prov. rom. proc. d'Asie*, 115.

## 120. EPISTULA IMPERATORIS INCERTI AD PROCONSULEM SEU LEGATUM ASIAE

(saec. II p. Chr.)

*Rev. d. ét. grec.* 19 (1906), 83.

(*Primi versus, maxime mutili, omissi sunt.*)

*. . . . . . . . . δε . . ας τὰ μετὰ | [τῆ]ς σοι προσηκούσης ἐπι|[με]-*
5 *λείας, ἅμα προνοούμε|νος καὶ τοῦ τὰ ὀφειλόμενα || τῶν χρημάτων*
*εἰσπράττεσ|θαι τῆι πόλει, κατεπέμψα|μεν δέ σοι καὶ τὰς παρ'*
*ἡμῶν | ἐν[το]λὰς ἵνα καὶ τὴν ἡμετέ|ραν | [συ]μβουλὴν ἐν τοῖς*
10 *πρα||[χθ]ησομένοις ἔχ[ηι]ς. Ἔρρωσο.*

From Aphrodisias. This letter seems to refer to the collection of certain sums due to the city. Since Aphrodisias was a *civitas libera* (*cf.* no. 29), the governor could not interfere in her internal affairs without the consent of the civic authorities or the authorization of the emperor (*cf.* Pliny, *Epp. ad Trai.* 47–48). Reinach, who published the inscription, suggests that the document may also be interpreted as a letter from a governor to an agonothete as in *CIG.* 2742.

## 121. RESCRIPTUM IMPERATORIS AD LACEDAEMONIOS

(saec. II p. Chr.)

*IG.* v, 21.

Col. I *. . . . . δὲ [τ]ού[τ]ων ἑκα[στ. . . . . | . . . οὐδεπ]ώποτε περὶ τῆς*
*ἐμαυτο[ῦ . . . . | . . . ] πότερον πραθῆναι ἢ μισθοῦσθαι καὶ [π]ό|-*
*[τερον σύμπαντας . . τ]οὺς ἀγροὺς ἢ κατὰ μέρος, παραινῶι ||*
5 *[. . . . προσ]όδους μέμνημαι πολλῶι μείζονας | [. . . . . . .]ν καὶ*

*δεδωρημένον ὑμῖν αἴτ[η]σιν | [. . . προσόδ]ους ἔσεσθαι, εἰ ἑτέρα μίσθωσις γ[έν]οι|[το . . . . . . π]οιεῖν ὑμᾶς, κ[αὶ ἐ]ὰν τὸ τρίτον τῆς νῦν | [. . . . . . τοῦ] τρίτου . . . . . . . ς ἑτέ[ρας] ||*

Col. *. . . . . . . . . . . . . . . . . . . λε[α] |* (*vacat*) *ο[ὔτε τὴν ἐκ] τῶν [ἐπ]ικλήσεων βοήθειαν [τ]οὺς ἀδικουμέ|νους οἴομαι δῖν ἀφειρῆσθαι οὔτε ἀφορμὴν ταύτην γείνε|σθαι τοῖς συκοφαντοῦσιν ὡς τά τε δημόσια καὶ ἰδιωτικὰ || μὴ τελεῖσθαι κατὰ τοὺς νόμους· διὸ δὴ περὶ μὲν τῶν ἀμφι|σβητήσεων, αἵτινες ἂν ὦσιν ἐλάττους ͵α δηναρίων καὶ μή|τε κριτήριον ἢ πρόκριμα κεφαλικῆς δίκης ἢ ἐπιτιμίας ἕξου|σιν, ἐπικαλεῖσθαί με ἢ πείθ[ε]σθαι τοῖς ἐπικαλεσαμένοις κω|[λ]ύωι· τὰς δὲ ἐπικλήσεις, ἃς [γ]είνεσθαι ἐπιτρέπωι, διακρινέτω||[σαν οἱ σύνεδ]ροι, πότερον δ(ι)καίως γείνονται ἢ ἐπὶ τῶι τ[ὰ]ς δί|[κας . . . . τάς τε π]ροβολὰς ποιεῖσθαι εἰς τὸ μὴ κριθῆ|[ναι . . . . . . . . . . . οἱ σύνε]δροι τῶι πατρίωι ἔ|[θει (?) . . . . . . . . . . . . . . . . ἡ]μέρα ἧι ἐντ[ὸς | . . . . . . . . . . . . . . . κριν]έτωσαν.*

From Mistra near Sparta. The inscription is engraved in two columns, but the content of col. I can only be determined in a general way owing to the fragmentary condition of the stone. The document appears to deal with different problems. In col. I there is a reference to the rental or sale of public lands owing to a depreciation in local revenues. In col. II the subject of appeal is considered. The emperor forbade appeals to his jurisdiction in cases involving less than a thousand denarii, and those which do not involve the death penalty or loss of civic rights. All appeals must be submitted to a board of synedri, who shall determine whether the appellant has just grounds for his petition or whether he is merely attempting to delay justice (*cf.* nos. 36, 90, 119). At Athens syndics, elected by the people, heard appeals before they were forwarded to the emperor (*cf.* no. 90), while at Cos the governor decided such questions (*cf.* no. 119). It is evident that the emperors were seeking to discourage the practice of appealing to Rome on trivial questions, but uniform legislation had not yet been devised in regard to procedure. A comparison of this document with no. 90 shows that the free cities received laws from Rome, and appeals from their local courts to the emperor had already become an established practice (*cf.* Mitteis, *Reichsrecht und Volksrecht,* 87 *f.*).

## 122. TITULUS HONORARIUS POGLENSIS
(saec. I vel II p. Chr.)

Cagnat, *IGRR.* 3, 409.

[Π]ό[πλι]ο[ν] Καίλ[ι]ον [Λ]ουκ[ιανὸν . . . ]ο[. . . ἀγω]|νοθε-
τήσαντα ἀγῶνα πεντ[αετηρικὸν σύν|τε] ἀνδριάσιν καὶ βραβείοις
καὶ τειμη[θέντα β(?), | δ]εδωκότα διανομὰς ἔτεσιν πολ[ιτείας] ||
5 βουλευταῖς τε καὶ ἐκλησιασταῖς [καὶ πᾶ]|σι πολείταις, κτίζοντα
ἔργα τῆι πόλει, κρεί|νοντα τοπικὰ δικαστήρια ἔτεσιν κοινω|ν[ίας],
πέμψαντα ἀννῶναν εἰς τὸ Ἀλεξαν|δρέων ἔθνος, προη[γ]ορ[ή-
10 σαντ]α καὶ || [πρεσβεύσα]ντα ὑπὲ[ρ τῆς πό]λεως, | [γένους τ]οῦ
πρω[τεύοντ]ος ἐν | [τῆι πα]τρίδι.

This inscription from Pogla in Pisidia was first published by Rostowzew in *Jahreshefte d. öst. arch. Inst.* 4 (1901), *Beiblatt*, 38 *ff.* The document is important because it marks the development of a village on an imperial estate into a municipal organization. The reference in ll. 6–8: *κρείνοντα τοπικὰ δικαστήρια ἔτεσιν κοινωνίας*, shows that Publius Caelius Lucianus acted as local judge when the community was still a *κοινόν*. On the quasi-municipal organization of the imperial villages and their development into towns, *cf.* Ramsay, *Studies in the History and Art of Asia Minor*, 305 *ff.*; Rostowzew, *Gesch. d. röm. Kol.* 288 *ff.* *Cf.* nos. 139, 140–142; pp. 23 *f.* It should be noted that the citizens of the new city are divided into *βουλευταί*, *ἐκκλησιασταί* and *πολῖται* (*cf.* Levy, *Rev. d. ét. grec.* 8 (1895), 209).

## 123. TITULUS HONORARIUS
(saec. II p. Chr.)

Cagnat, *IGRR.* 4, 788; Ramsay, *Cities and Bishoprics*, 2, 462.

Ἡ βουλὴ καὶ ὁ δῆμος καὶ οἱ κατοικοῦντες Ῥωμαῖοι | ἐτείμησαν
Τιβέριον Κλαύδιον Τιβερίου Κλαυδίου Μι|θριδάτου υἱὸν Κυρεί-
ναι Πείσωνα Μιθριδατιανόν, ἱερέα | διὰ βίου Διὸς Κελαινέως,
5 γυμνασιαρχήσαντα δι' ἀγο||ραίας καὶ ἀγορανομήσαντα δι' ἀγο-
ραίας, καὶ ἐφηβαρχήσαντα, | καὶ ὑποσχόμενον ὑπὲρ Κλαυδίου
Γραν⟨ν⟩ιανοῦ τοῦ υἱοῦ | γυμνασιαρχίαν δι' ἀγοραίας ἐκ τῶν ἰδίων
καὶ χαρισάμενον | τῆι πόλει τὸν ἐξ ἔθους διδόμενον ὑπ' αὐτῆς

τῶι γυμνα|σιαρχοῦντι πόρον δηνάρια μύρια πεντακισχείλια καὶ τῆι μὲν || πρώτηι ἑξαμήνωι, ἐν ἧι καὶ ἡ ἀγόραιος ἤχθη, θέντα τὸ | ἔλαιον, ὑπὲρ δὲ τῶν λοιπῶν μηνῶν ἓξ δεδοκότα, | καθὼς ἡ πόλις ἠξίωσεν, δηνάρια μύρια ἐνακισχεί|λια, ὥστε προστεθέντα καὶ τοῦτον τὸν πόρον | τοῖς μυρίοις πεντακισχειλίοις δηναρίοις σώζειν || τόκον δραχμιαῖον εἰς τὸ τῶν κουρατόρων ἐπι|ζήμιον τὸ κατὰ ἔτος ὑπ᾽ αὐτῶν διδόμενον, ὥσ|τε τοῦ λοιποῦ χρόνου μηκέτι εἶναι κουρατό|ρας, καθὼς ἡ πόλις ἐψηφίσατο, δι᾽ ὅλου | τοῦ αἰῶνος, τὴν ἀνάστασιν ποιησαμένων || ἐκ τῶν ἰδίων τῶν ἐν τῆι Θερμαίαι πλατείαι.

From Apamea in Phrygia. The nature and purpose of the endowment has been the subject of considerable dispute. Mommsen (*E.E.* 7, 436 *ff.*) believed that the city was enabled to dispense with the *curator conventus Romanorum*, but this is unlikely, for the city probably had no jurisdiction over this organization. Ramsay (*loc. cit.*) believed that Apamea used the endowment to get rid of the *curator rei publicae*. This official, however, was always styled λογιστής in the East, and there is no evidence that more than one ever held office in any city at the same time. Nor is it likely that a city which could spend so lavishly would need a curator. It is possible that an explanation may be found in a document from Cibyra (Cagnat, *IGRR.* 4, 914; *cf. ibid.* 4, 259), where Quintus Veranius secured from the emperor the removal of Tiberius Nicephorus who exacted three thousand denarii annually from the city. It is, however, more probable that the endowment was devoted to defraying the liturgical expenses of certain officials in connection with the gymnasiarchy, and that *curator* is here used as an equivalent of liturgy (*cf.* Bérard, *B.C.H.* 17 (1893), 312). For similar endowments, *cf.* nos. 116, 150, 189.

## 124. EDICTUM SEU EPISTULA PROCONSULIS AD EPHESIOS

(saec. II p. Chr.)

*B.C.H.* 7 (1883), 504; *Inschriften von Magnesia*, 114.

. . . . δὲ καὶ κατὰ συνθήκ[ας . . . . . . αντων . . . . . . λικ . . . . . . . . . . . . ὥστε συμ|βαί]νειν ἐνιότε τὸν δῆμον ἰς ταραχὴν καὶ θορύβους ἐνπίπτιν διὰ τὴν σ[καιο(?)|λ]όγον κα(τ)α(θ)ρασίαν τῶν

*ἀρτοκόπων ἐπὶ τῇ ἀγορᾷ στάσεων, ἐφ' οἷς ἐχρῆν [αὐ|]τοὺς μεταπεμφθέντας ἤδη δίκην ὑποσχεῖν· ἐπεὶ δὲ τὸ τῇ πόλει συμφέ[ρον]|| τῆς τούτων τιμωρίας μᾶλλον προτιμᾶν ἀναγκαῖον, ἡγησάμην διατάγ[ματι] | αὐτοὺς σωφρονίσαι. Ὅθεν ἀπαγορεύω μήτε συνέρχεσθαι τοὺς ἀρτοκ[ό]|πους κατ' ἑταιρίαν μήτε προεστηκότας θρασύνεσθαι, πειθαρχεῖν δὲ π[άν]|τως τοῖς ὑπὲρ τοῦ κοινῇ συμφέροντος ἐπιταττομένοις καὶ τὴν ἀ[ναγ]|καίαν τοῦ ἄρτου ἐργασίαν ἀνενδεῆ παρέχειν τῇ πόλει. Ὡς ἂν ἁλῷ τι[ς αὐ]||τῶν τὸ ἀπὸ τοῦδε ἢ συνιὼν παρὰ τὰ διηγορευμένα ἢ θορύβου τινὸς [καὶ στά]|σεως ἐξάρχων, μεταπεμφθεὶς τῇ προσηκούσῃ τειμωρίᾳ κολασθή[σεται]· | ἐὰν δέ τις τολμήσῃ τὴν πόλιν ἐνεδρεύων ἀποκρύψαι αὐτόν, "δεκυειρ[ίας" ἐπὶ πο]|δὸς προσσημιωθήσεται, καὶ ὁ τὸν τοιοῦτον δὲ ὑποδεξάμενος [τῇ] | αὐτῇ τιμωρίᾳ ὑπεύθυνος γενήσεται. || Ἐπὶ πρυτάνεως Κλ(αυδίου) Μοδέστου, μηνὸς Κλαρεῶνος δ' ἱσ(ταμένου), βουλῆς ἀγομέ[νης κατ' (?)] | ἄλλο μέρος, Μαρκελλεῖνος εἶπεν· τῆς δὲ ἀπονοίας τῶν ἐργαστηριαρχῶ[ν μέγι]|στον δεῖγμα χθὲς Ἑρμείας ὁ πρὸς τῇ* ΓΑΜΙΛΩΜΕΤ....
.....................ΑΝΤΗ

From Ephesus. The first part of this inscription contains the proclamation of the provincial governor who had been compelled to settle an outbreak and riot of the members of the bakers' guild at Ephesus. The subject of strikes in Asia Minor is discussed by Buckler, *Anatolian Studies in Honour of Sir W. M. Ramsay*, 27 *ff*. The municipal authorities were unable to deal with the situation and were compelled to appeal to the governor. Similarly in Pergamum (Cagnat, *IGRR*. 4, 444) the proconsul interfered in a strike of the builders. *Cf. Acts* 19, 24 *ff*., where the riot of the silversmiths at Ephesus inspired fear of being called to account by the governor.

## 125. TITULUS HONORARIUS
(150–200 p. Chr.)

*CIL*. VIII, *S*. 17899 = *E.E.* 5, 698.

*C*. Annio Arminio Do*nato*, *claris*simo puero C. An|ni Flaviani, pro*c*. *patrimoni* tractus Kar|thaginiensis, f*ilio Anni* Armini Do|nati, flaminis *perpetui* nepoti, || concilium pr*ovinciae* Africae.

Found at Thamugadi. C. Annius Flavianus took part in one of the wars under M. Aurelius and Commodus (*cf. CIL.* VIII, *S.* 17900), so that his son probably flourished toward the end of the second century. A *tractus* included several *saltus*, or imperial estates, and a *procurator tractus* held a post as important as that of a provincial procurator; *cf.* p. 19. This *concilium prov. Africae* seems to have been composed of representatives from the *civitates* of both Africa Proconsularis and Numidia; *cf.* Kornemann, *R.E.* 4, 808.

## 126. TITULUS HONORARIUS

(saec. II p. Chr.)

*Rev. arch.* 3 (1916), 339; *An. ép.* 1916, no. 120.

Sacerdoti omnium Caesar, T. Vetuiro T. fil. Gol. Campestir auguir II viro II vir q. q. II vir III panec rgrati anuon sacerdoti da . . lrcuri condtoir patriat H II misso lecmo . . . a colonai nurbemsikeviatco . . . semelouidemardivom Hadrianum . . . . III auem adoptimum maximum oue . . . bisimpcaesar T. Aelium Hadrianum . . . Antoninum Auc Pium ex d. d. vicuscopdy.

### *Transcription*

Sacerdoti omnium Caesarum, T. Veturio T. fil. Collina Campestri, auguri, II viro, II viro quinquennali, II viro tertium . . . . et curatori annonae, sacerdoti Dei Mercuri, conditori patriae, quater misso legato a colonia in Urbem sine viatico, semel quidem ad divum Hadrianum, ter autem ad optimum maximumque . . . Imperatorem Caesarem T. Aelium Hadrianum Antoninum Aug. Pium ex decreto decurionum vicus . . . . .

On a marble column, found at Sinope, on which had stood a statue. The mistakes in the text are due to the difficulty which the Greek copyist had with the Latin letters and words. That the position of *sacerdos omnium Caesarum* ranked higher even than the chief magistracy in Sinope is shown by the place which it has at the beginning of the inscription. Veturius like many other Asiatics belonged to the tribus Collina. The particular point of interest for us is the fact that Veturius represented his native city four times on missions to Rome. For similar cases, *cf.* nos. 53 and 115.

## 127. EPISTULA IMPERATORUM SEVERI ET CARACALLAE AD SMYRNAEOS

(198–210 p. Chr.)

*CIG.* 3178; Lafoscade, 72; Ditt. *Syll.*$^3$ 876; Cagnat, *IGRR.* 4, 1402.

Οἱ θειότατοι αὐτοκράτορες Σεουῆρος καὶ Ἀντωνεῖνος Καίσαρες Σμυρναίοις. | Εἰ Κλαύδιος Ῥουφῖνος ὁ πολείτης ὑμῶν ὁ διὰ τὴν προαίρεσιν | ᾗ σύνεστιν ἐπὶ παιδείᾳ καὶ τὸν ἐν λόγοις συνεχῆ βίον τὴν | προκειμένην τοῖς σοφισταῖς κατὰ τὰς θείας τῶν προγόνων || ἡμῶν διατάξεις ἀτέλειαν τῶν λειτουργιῶν καρπούμενος | ὑμῶν αὐτὸν ἑκουσίῳ ἀνάγκῃ προκαλουμένων ὑφέστη τὴν | στρατηγίαν κατὰ τὸ πρὸς τὴν πατρίδα φίλτρον· τὴν γοῦν εἰς τὰ | ἄλλα μένειν ἀπραγμοσύνην ἀκείνητον αὐτῷ δικαιότατόν | ἐστιν· οὐ γὰρ ἄξιον τῷ ἀνδρὶ τὴν εἰς ὑμᾶς φιλοτειμίαν γενέ||σθαι ζημίαν, καὶ μάλιστα ταύτην ὑμῶν αἰτούντων ὑπὲρ | αὐτοῦ τὴν χάριν. Εὐτυχεῖτε. | Ἐπρέσβευον Αὐρ. Ἀντωνεῖνος καὶ Αἴλιος Σπηρᾶτος.

From Smyrna. The cities of Asia were classified in three groups according to wealth and population. A letter of Antoninus Pius to the provincial assembly gave permission to the cities in each group to grant immunity to a specified number of doctors, rhetoricians, and philosophers (*Dig.* 27. 1. 6). Apparently the Asiatic cities had been too lavish in their grants of immunity to the professions, and the emperor curtailed their power in this respect. The case of Rufinus is not clear. Apparently he had enjoyed the privilege of immunity, but had forfeited it by undertaking a liturgy voluntarily. The city, apparently, had not the power to renew the grant at this period and sent an embassy to the emperor asking for the reinstatement of Rufinus in his former privileges.

## 128. MYRENSIUM DECRETUM DE NAVIGATIONE

(saec. II vel III p. Chr.)

Le Bas-Waddington, 1311; *CIG.* 4302*a* (*Add.* p. 1136); Ditt. *Or. Gr.* 572.

Ἀγαθῆι τύχηι. | Ἔδοξε τῆι βουλῆι | καὶ τῶι δήμωι, | πρυτάνεων γνώ||μη· ἐπεὶ διὰ τὸ | μὴ ἐξευρίσ|κειν τὴν ἐπὶ Λί|μυρα πορθμι|κὴν ὠνὴν τὴν ἀξί||αν συνβαίνει ἐ(λα)σ|σοῦσθαι τὰς

προσ|όδους, μὴ ἐξεῖναι | ἕτερον παραπορ|θμεῦσαι μηδὲν || μήτε 15
ἀπὸ τῆς Δασ[εί]|ας μήτε ἀπὸ τοῦ στό|ματος τῆς λίμνης | ἢ ἀπὸ
Ἀνδριακῆς, | ἢ ὀφειλήσει τῶι δή||μωι ὑπὲρ ἑκάστου | πλοὸς ☧ 20
ατ′, ἐξου|σίαν ἔχοντος σ(τ)έ|ρ(η)σιν ἀπογράφεσ|θαι || τοῦ τὴν 25
ὠ|νὴν ἔχον|τος τοῦ τε πλοί|ου καὶ τῶν σκευ|ῶν αὐτοῦ. || Πλεύσει 30
δὲ | μόνα τὰ ἀπο|γεγραμμένα | πλοῖα καὶ οἷς | ἂν συνχωρή||σηι 35
ὁ τὴν ὠνὴν | ἔχων, λαμβά|νοντος παντὸς | ναύλου τὸ δ′ | καὶ
τῶν ἐνβαλ||λομένων. Ἐὰν | δέ τις αὐτόστο|λον ναυλώσηι, | 40
προσφωνείτω | καὶ διδότω παντὸς || τοῦ ναύλου τὸ δ′, | ἢ ὑπο- 45
κείσεται τῶι | προγεγραμμένωι | προστείμωι.

From Myra in Lycia. The right to ferry across the river Limyra was leased by the city to contractors, and considerable revenue was derived from this source. Private boatmen, however, had entered into competition against the company holding the lease from the city, and by offering lower rates made the municipal lease so unattractive that the city could find no bidders and was thus in danger of losing a profitable source of revenue. In this law the municipality creates a monopoly by forbidding private carriers the use of certain routes over which most of the traffic was carried. For similar monopolies, *cf.* no. 70; *CIL.* III, 7151, 7152.

## 129. EDICTUM M. ULPI PROCONSULIS. EPISTULA GEMINI MODESTI PROCONSULIS ACHAIAE AD THISBENSES

(saec. II vel III. in. p. Chr.)

*IG.* VII, 2226, 2227, *Add.* p. 747; Ditt. *Syll.*³ 884.

Μᾶρκος Οὔλπιος [. . ἀνθύπατος λέγει]. | Ὁ βουλόμενος
Θισβαίων χωρίον δη[μόσιον ἢ ἱερὸν . . φυ|τεῦσαι] τῶν ἐπ' ἐμοῦ
γεωργουμένων [παραδότω τοῖς στρατηγοῖς τῆς πόλεως] | βιβλίον,
γράψας ἐν αὐτῶι τόπον τε ὃν βο[ύλεται λαβεῖν καὶ φόρον ὃν
δώσει κατ' || ἐν̣]ιαυτὸν ὑπὲρ ἑκάστου πλέθρου[. . | βου]λῆς ἢ 5
ἐκκλησίας κατὰ τὸ δεδογμένον . . | . . ω̣ν· κ[αὶ] εἰ μ̣έν τις . . | . . τῆ̣
ἐκκ[λησίᾳ̣ . . | . . σ]θω εἰς . .

. . υ||σκοι καὶ α[. . | . . κ]οιναί· γραφέτ̣ω [δ]' ἐν ε[. . | κ]αὶ τὴν 10
ποσότ̣ητα τοῦ φόρου [. . | . . τοῖ]ς τε ἄρχουσιν καὶ δεκατ[ευταῖς]
κα[ὶ . . | . .] τ[ὴ]ν πρόσοδον τὴν ἐκ̣ [τούτ]ω̣ν καὶ [. . || . . τ]α τοῦ 15
τόπ̣ου. [Λήψε]τε δὲ [ὑ]πὲρ ἑκά[στου χωρίου ὁ καταλαβὼν] |

ἄνεσιν τοῦ φόρου τῶν πρώτων [ἐτ]ῶν πέντ[ε· ἔπειτα δὲ καθ’
ἕκαστον ἐνιαυτὸν] | δώσει τὸν φόρον τὸν ἐτήσιον το[ῦ κ]ατα-
λαμβανομ[ένου χωρίου τοῦ μηνὸς τοῦ] | Ἀλαλκομεναίου τ[ῇ̣]
πεντεκαιδεκ[άτῃ]· οἱ δὲ μὴ πράξαντες σ[τρατηγοὶ τὴν πρόσο]||δον
ὑπεύθυνοι ἔσονται ὧν οὐκ ἔ[πρ]αξαν. Εἰ δέ τις λαβὼν [ἐν]τὸς
20 [τῆς πεν]||ταετ̣ί̣ας μὴ φ̣υτεύσαι, τό τε χωρίον [με]ταπωλήσουσιν
οἱ καταλαμβάν[οντες] | στρατηγοὶ (κ)αὶ ὃν ὑπέστη τελέσει[ν
φό]ρ̣ον πράξουσιν παρ’ αὐτοῦ τῆς [πενταετί]||ας. Εἰ δὲ φυτεύσει
ἓν μέρος ὡς ε̣[ἶναι] ἄξιον τοῦ φόρου τῶν πέντε ἐτ[ῶν, τὸν μὲν] |
φόρον μὴ πραττέσθω, πιπρασκέσθω [δὲ] τὸ χωρίον πολείτῃ,
καὶ τὸ ἀργὸν κα[ὶ τὸ πεφυ]||τευμένον, ἐπὶ τῷ τὴν μὲν τειμὴν τ[οῦ
25 π]εφυτευμένου εἰσκομισθῆναι τῇ πόλ[ει, τὸν] || δὲ φόρον παντὸς
τελεῖσθαι καθ’ ἕκαστο[ν] ἐνιαυτόν, ὅσον τελέσ[ε]ιṿ καὶ ὁ πρότε-
ρο[ς ὡμο]||λόγησεν, συγχωρουμένου τῷ πρια[μέν]ῳ τοῦ φόρου τῆς
πενταετίας ὑπὲρ [τοῦ ἀρ]||γοῦ μόνου. Λαμβανέτω δὲ [ὁ πολεί]της
ἕκαστος μὴ πλέον πλέθρω[ν . .]· | εἰ μέντοι τις φωραθείη φ̣υτεύ-
σας τ[ού]τοις πλέον, πωλήσουσιν [οἱ στρατηγοὶ | τῷ βουλ]ομένῳ
30 τῶν πολειτῶν ἐπὶ τῷ καὶ ἐ̣κ τούτου σώζεσθαι τ[ῇ πόλει || . .
φόρον] τοσοῦτον ὅσον τ[ελέσειν] ὡμολόγησεν ὑπὲρ ἑκάστο[υ
πλέθρου. Ἢν δὲ μηδεὶς | βούληται πρίασθαι, πράξουσ]ιν παρὰ
το[ῦ πρώτου λαβό]ντος τὸν γεινόμε[νον φόρον, | ὅσον ὑπὲρ
ἑκάστου πλέθρου τελέσειν ὑπεδέ]ξατο. |
35 [. . πλέ]θρον τ̣ο[ῦ . . | . .]άμενος καὶ . . || . . ου ἐξ ὅσου τ[. . | . .
π]αρὰ τῆς πόλεω[ς . . | . .]ίῳ καὶ τὰ ἄλλα κα[. . | . . πραττ]ο-
40 μένου τοῦ φόρου [. . | . . πολ]είτῃ δανειστῇ, ὡς κα[ὶ . . || . . δημ]ο-
σίου χωρίου ἡ δ[. . | δ]ημοσίου καθ’ ἡμ[. . | . . α]ὐτὸς γραφέτω
45 . . | . . ντ . . οι εκα . . | . . πόσον ἢ ὅτ . . || . . ατος ὑ . . . . . . . |
[. . . . τ]ό τε ὄνομα [τ]ο[ῦ . . | . .] εἰ δέ τις ἐξαπατήσα[ς τῶν]
ὀφειλόν[των ξένῳ ὑποθείη | τι τῶν χωρίων τῶ]ν δημοσίων καὶ
τοῦτο ἐλενχθείη, ἀφαιρε[ίσθω αὐτὸν τὸ | χωρίον τὸ ὑποτεθὲν] ἡ
50 πόλις, ὁ δὲ δανειστὴς ὁ ξένος ἐκ τῶν ἄλλ[ων κτημάτων || τῶν
τοῦ ὑποθ]έντος τὴν εἴσπραξιν ποιείσθω τοῦ ὀφειλομέ[νου. Εἰ
δέ τις | διαθήκ]αις καταλίποι ξένῳ συνγενεῖ ἢ φίλῳ τούτων τι
τῶν [χωρίων, ἄκυρος | ἔστω α]ὐτοῦ ἡ δωρεά, ἔστω δὲ τῆς πόλεως
τὸ χωρίον. Εἰ δ[έ τις μὴ καταλι|πὼν δια]θήκας τελευτήσαι, ᾧ
μή εἰσιν νόμιμοι κληρονόμοι, [ὑ]π[αρχέτω | κατ’ ἀμφ]ότερα
κληρονόμος τοῦ ἑαυτῆς κτήμ[ατ]ος ἡ πόλις. ||

*[Γε]μίνιος Μόδεστος ἀνθύπατος Θισβ[έων τοῖς τε* 55
*ἄρχουσι καὶ] τῇ βουλῇ καὶ τῷ δήμῳ χαίρειν. Ἱκανὸν*
*[μὲν οὖν . . | εἶναι] κύρια τὰ δόξαντα ὑμεῖν περὶ τῆς πρότε[ρον*
*. . | . . ] γεγενημένης, καὶ τὸ τοῦ ἀξιολ[ογωτάτου . . | . . ἐ]π' [α]ὐ-*
*τῷν ἐπιχωρίου καὶ . .*

From Thisbe. Dittenberger dates the document in the beginning of the third century, while Rostowzew is inclined to ascribe it to the reign of Hadrian, or a little later. In accordance with this edict of the provincial governor, the public (and sacred?) lands of Thisbe are to be sold in small lots to the citizens of the town subject to the payment of an annual tax (*φόρος*), which, however, is to be remitted for the first five years of occupancy. The purchaser is under obligation to plant (*φυτεῦσαι*) in vineyard or orchard during this period. If he fails to do so, the magistrates shall sell the property and exact the tax for the first five years. If only a part of the land is brought under cultivation according to the contract, the magistrates shall sell the allotment to a citizen, the price of the cultivated portion being paid into the treasury in lieu of the yearly tax, while the new purchaser shall pay the stipulated tax for the whole plot annually thereafter. If any farmer occupies more than the legal allotment, the magistrates shall sell the portion held illegally, safeguarding the payment of the annual tax. If, however, a purchaser cannot be found, they shall exact from the first farmer the amount of tax which he agreed to pay for his original assignment. The tenant may mortgage or bequeath his holdings, but not to a non-resident of the city. If he dies without heirs, the property reverts to the city. This document belongs to the class known as *νόμος πωλητικός* (Rostowzew, *Gesch. d. röm. Kol.* 386 *ff.*), and the form of perpetual leasehold instituted in the municipal territory of Thisbe is similar in all respects to that prevalent in Egypt. Several points of interest may be noted. The magistrates (*στρατηγοί*) are responsible personally for the exaction of the *φόρος*. The doctrine of *origo* is implied in forbidding any lease to be granted to aliens, and in the restrictions applied to mortgages and bequests to non-residents. The legislation of the governor is, furthermore, in the interest of the small proprietor, and every attempt is made to prevent the encroachment of the capitalist and his *latifundia.*

Finally, it may be noted that the central government at this period does not hesitate to regulate in minute detail the internal affairs of the municipalities in the provinces. For a discussion of the legislation regarding similar tenure of land on the imperial domains, *cf.* pp. 15 *ff.*, and nos. 90, 111.

## 130. EPISTULA IMPERATORUM SEVERI ET CARACALLAE AD TYRANOS

(201 p. Chr.)

*CIL.* III, 781; Cagnat, *IGRR.* I, 598; Bruns, 89; Dessau, 423; Riccobono, p. 332.

*Exemplum epistulae ad Tertullum.*

*Misimus tibi epistulam ad Heraclitum, unde intelleges quid statuerimus de immunitate, quam Tyrani sibi concessam contendunt. Quam licet admittere non soleamus nisi privile*|gii auct*oritate perpensa et origine immu*|nitatis inspecta, quod us*u receptum esse qua*|qua ratione videbatur, cum iusta *moderati*|one servavimus, ut neque ipsi con*suetudi*||ne diuturna pellerentur et in poster*um* | decreta civium adsumendorum consi*liis* | praesidis provinciae c(larissimi) v(iri) perpenderetu*r*. | Exemplum epistulae ad Heraclitum. | Quamquam Tyranorum civitas or*i*ginem || dati beneficii non ostendat, nec facile, quae | per errorem aut licentiam usurpata sunt, prae|scriptione temporis confirmentur, tamen, | quoniam divi Antonini parentis nostri litte|ras, sed et fratrum imperatorum cogitamus, item || Antonii Hiberi gravissimi praesidis, quod attinet | ad ipsos Tyranos quique ab iis secundum leges | eorum in numerum civium adsumpti sunt, ex pri|stino more nihil mutari volumus. Retineant | igitur quaqua ratione quaesitam sive possessam || privilegii causam in promercalibus quoque re|bus, quas tamen pristino more professionibus | ad discernenda munifica mercimoniorum eden|das esse meminerint. Sed cum Illyrici fructum | per ambitionem deminui non oporteat, sciant || eos, qui posthac fuerint adsumpti, fructum | immunitatis ita demum habituros, si eos legatus | et amicus noster v(ir) c(larissimus) iure civitatis dignos esse de|creto pronuntiaverit. Quos credimus satis a|bundequ*e* sibi consultum, si grati fuerint, exi||stimaturos, quod origine beneficii non quaesi|ta dignos honore cives fieri praeceperimus. |

Ὀουίνιος Τέρτυλλος ἄρχουσι, βουλῆι, δή|μωι Τυρανῶν χαίρειν. | Ἀντίγραφον τῶν θείων γραμμάτων, πεμ||φθέντων μοι ὑπὸ τῶν κυρίων ἡμῶν ἀνει|κήτων καὶ εὐτυχεστάτων αὐτοκρατόρων, | τούτοις μου τοῖς γράμμασιν προέταξα, ὅ|πως γνόντες τὴν θείαν εἰς ὑμᾶς μεγαλο|δωρίαν τῆι μεγάληι αὐτῶν τύχηι εὐχαριστή||σητε. Ἐρρῶσθαι ὑμᾶς καὶ εὐτυχεῖν πολ|λοῖς ἔτεσιν εὔχομαι. Ἀπεδόθη πρὸ | ιγʹ καλανδῶν Μαρτίων Ληνεῶνος ηʹ. | Ἀνεστάθη ἐπὶ Μουκιανοῦ καὶ Φαβιανοῦ | ὑπάτων, ἐν τῶι εμπʹ ἔτει, || ἀρχῆς Π. Αἰλίου Καλπουρνίου.

From Tyra in Lower Moesia. Tertullus was the provincial governor, and Heraclitus the *procurator vectigalis Illyrici*. The importance of the document lies in the fact that the Tyrans claimed immunity from certain taxes, especially the *portorium* (Cagnat, *Les impôts indirects chez les Romains*, 20 *ff.*), and, since they had been rather liberal in granting citizenship to aliens, the imperial revenues had suffered. The procurator, apparently, had complained to the governor and to the emperors, with the result that the Tyrans were asked to submit the evidence on which they based their claim of immunity. This they were able to do only in part, and from the letter of the emperors we may infer that certain cities in the empire had claimed similar privileges without any right to do so. These claims had apparently been disallowed, unless the city had been able to show the reason for the gift and the original charter. The Tyrans had only been able to produce the letters of Antoninus Pius, and his successors; the letters of the governor, Antoninus Hiberus, had also been submitted. Accordingly the emperors confirm the privileges which the Tyrans claim, but the grant of citizenship conferred by the city is hereafter subject to the approval of the provincial governor. Since citizenship in a community which enjoyed any form of immunity would be highly prized, it is probable that Tyra had been guilty of increasing her revenues by this means. Similarly Athens, enjoying the status of a free city, had bestowed citizenship so lightly in return for a small payment in money that Augustus took away the right to make the grant (*cf.* p. 139). Tarsus sold the grant of citizenship for 500 drachmae (Dio Chrys. 34, 23).

## 131. EDICTUM LEGATI IMPERATORUM, Q. SICINI CLARI, DE PIZO CONDENDA

(202 p. Chr.)

Cagnat, *IGRR.* I, 766; Ditt. *Syll.*³ 880; Kalinka, *Ant. Denk. Bulgar.* 34.

Ἀγαθῇ τύχῃ. | Ὑπὲρ τῆς τῶν μεγίστων καὶ θειοτάτων αὐτοκρα|τόρων Λ. Σεπτιμίου Σευήρου Περτίνακος κὲ Μ. Αὐρη. | Ἀντωνείνου Σεββ. κὲ [Π. Σεπτ. Γέτα Καίσαρος] κὲ || Ἰουλίας Δόμνης μητρὸς κάστρων νείκης καὶ αἰωνίου | διαμονῆς καὶ τοῦ σύμπαντος αὐτῶν οἴκου καὶ ἱερᾶς συν|κλήτου καὶ δήμου τοῦ Ῥωμαίων καὶ ἱερῶν στρατευμάτων, | ἐκτίσθη κατὰ δωρεὰν τῶν κυρίων ἐνπόριον Πίζος, ἐπὶ | ὑπάτων τῶν κυρίων αὐτοκρατόρων Λ. Σεπ. Σεουήρου Περ||τίνακος κὲ Μ. Αὐρ. Ἀντωνείνου Σεββ., καὶ μετῴκισαν εἰς αὐτὸ | οἱ ὑποτεταγμένοι. |

Κ(όϊντος) Σικίννιος Κλᾶρος | πρεσβ(ευτὴς) Σεβ(αστῶν) ἀντιστρά|τηγος λέγει. ||

Τῇ προόψει τῶν σταθμῶν ἡσθέ[ν]|τες ο[ἱ] κύριοι ἡμῶν μέγιστοι | καὶ θειότατοι αὐτοκράτορες | διά παντός τε τοῦ ἑαυτῶν αἰῶ|νος βουληθέντες ἐν τῇ αὐτῇ εὐπρε||πείᾳ διαμεῖναι τὴν αὐτῶν | ἐπαρχείαν, προσέταξαν τὰ ὄν|τα ἐνπόρια ἐπιφανέστερα ὑπ[άρ]|ξαι, καὶ τὰ μὴ πρότερον ὄντα | γενέσθ[α]ι· καὶ γέγονεν. || [Ἐ]πεὶ οὖν δεῖ τὰ ἐκ θείας δωρε|ᾶς ὁρμώμενα εὐτυχέστε|ρα εἶναι καὶ ἐκ τῆς τῶν ἐφε|στώτων τάξεως, οὐκ ἐνπορι|ακοὺς δημότας, ἀλλὰ τοπάρ||χους βουλευτὰς ἐκέλευσα | ἐκπέμπεσθαι εἰς ταῦτα τὰ | [ἐ]νπ[όρ]ια, δοὺς αὐτοῖς καὶ δι' ἐπιστο|[λῆς] σημαντῆρα καὶ δικαιοδοσίαν | [καὶ ἐντεί]λας μὴ ὕβρει μηδὲ βίᾳ, || [δικα]ιοσύνῃ δὲ καὶ ἐπεικείᾳ | [κρ]α[τ]εῖν τοὺς ἐνοικοῦντας καὶ | [μὴ μό]νον αὐτοὺς ταῦτα πράσσ|[ειν, ἀλλ]ὰ [κ]αὶ ἀπὸ τῶν ἄλλων τῷ ἀδικεῖν | ν[εωτε]ρίζειν προῃρημένων ῥύε||σθ[αι χρ]είας καὶ πολυπληθείας. |

Πρὸς τοῦ εἶναι εὐδαιμονέστερα | ταῦτα ἐμπόρια ἐπε(ι)θόμην, ἀνδρά|σιν [ἐπι]πα[ρ]ευν̣εῖν εὐδοκιμούντω[ν] ἐ[κ] | τ[ῶν πέ]ριξ κωμῶν, πείθοντας δὲ || ο.. καὶ μετοικίζειν εἰς ταῦ|τα [τ]ὰ ἐνπόρια, καὶ αὐτὸς δὲ προ|τ[ιθ]έ[μεν]ος καὶ τοὺς βουλομένους | ἑκοντὴν τοῦτο ποιεῖν ἕξοντας | θείας τύχης τῶν Σεβαστῶν || μεγάλας δωρεάς, τουτέστιν | πολειτικοῦ σείτου ἀνεισφορίαν | καὶ συν[τελ]είας βουργαρίων καὶ | [φ]ρουρῶν καὶ ἀνγαρειῶν

ἄνεσιν. | Καὶ ταῦτα μὲν περὶ τῆς τάξεως || [τ]οῦ τοπάρχου καὶ περὶ τῆς ἀλειτουρ|[γησ]ίας τῶν ἐνοικούντων ἢ ἐνοικη|[σό]ντων. Περὶ δὲ τῶν οἰκοδομη|[μά]των, ὅπως ἐπιμελείας τυν|χάνοντα εἰς ἀεὶ διαμένοι, || κελεύω τοὺς τοπάρχους καὶ τοὺς | ἐπιστάθμους στρατιώτας | [π]α[ρ]ὰ τῶν ἐπιμελητῶν παραλα[ν|β]ά[νι]ν τὰ πραιτώρια καὶ τὰ βα|λανεῖα πανταχόθεν ὁλόκλη||ρα, τουτέστιν ἐν τοῖς οἰκοδομικοῖς | καὶ ἐν τοῖς λεπτουργικοῖς καὶ ἐν | τοῖς χρηστικοῖς, παραδιδόντας | τοῖς μεθ' ἑαυτοὺς ἐγγράφ[ω]ς, ὥσπερ | παραλαμβάνουσιν. [Ὅπως δ]ὲ ἐπι||μελεστέρους αὐτοὺς παρασκευ|άσω πρὸς τὴν παρά[λη]μψιν | καὶ τὴν παράδοσιν, π̣[αρακε]λεύ|ω ἀπὸ τοῦ χρόνου τῆς [πα]ραλήμ|ψεως μέχρι τῆς παρα[δόσ]εω[ς] || τὰ ὑπάρχοντα τῶν τοπάρχων | καὶ τῶν ἀρχόντων οὓς ἐκέλευσα | τῷ ἰδίῳ κινδύνῳ αὐτοὺς προβάλ|λεσθαι, ὑπεύθυνα εἶναι τῷ | δημοσίῳ τῶν πόλεων, πρὸς δὲ δ[ια||λύ]σωσ[ι] αὐτὰ τὰ ἐνπόρια εἰς τὸ | [τε]τ̣ρ̣απλάσιον τοῦ ἐνδεήσον|τος.

From Pizus in Thrace. We have omitted in our text the names of the colonists who were settled in the new foundation. These are arranged in four columns under the villages from which they were drawn. In the fourth column there are nine names under the title ὕπατοι οἰκήτορες, probably one from each of the nine villages, who were chosen to act as magistrates in the new community (Seure, *B.C.H.* 22 (1898), 472 *ff.*, 520 *ff.*). The number of colonists is 181. Pizus had the rank of an *emporium* or *forum*, and was established as a *statio* (σταθμός) on the imperial highway which led from Philippopolis towards Hadrianopolis. The edict was issued after a visit of the emperors to Thrace, and it apparently formed a model for the creation of similar stations along the highway and throughout the province. The settlers were drawn from nearby villages, and they were induced to settle in the new foundation under the promise of remission of various liturgies, the *annona*, the provision of troops recruited for service in the *burgi* and garrisons, and angary, or the supply of animals and labor in the service of the public post. The residents are not called citizens but ἐνοικοῦντες. The duty of administration and of dispensing justice is entrusted to a member of the senate from the toparchy, or administrative district in which Pizus is founded (*cf. Cod. Th.* 12. 1. 21). Apparently the government of *fora* had been given hitherto to ordinary residents of the station (ll. 25 *ff.*). The chief magistrate has the title *τόπαρχος*, and is assisted in his administrative duties by the nine *ὕπατοι οἰκήτορες* mentioned above. These officials are responsible for the care of the public buildings provided by the emperors, and their property is held as security by the municipality or toparchy, which is entrusted with the administration of the station. The management of the buildings is shared with the troops stationed at the post, but the soldiers are not placed under a similar bond. On the *fora* in the Roman empire, *cf.* pp. 10 *ff.* The reading *συν[τελ]είας* in l. 52 is suggested by Rostovtseff, *Journ. Rom. Studies*, 8 (1918), 26 *ff.*, where he also discusses the liturgy of providing recruits for military service.

## 132. EDICTUM IMPERATORUM SEVERI ET CARACALLAE DE HOSPITIO

(204 p. Chr.)

Lafoscade, 74; Ditt. *Syll.*³ 881; *CIL.* III, *S.* 14203⁸,⁹; *IG.* XII, 5, 132.

I *Ἱερὰ γράμματα. | [Δ]οκεῖς ἡμεῖν τὸ δόγμα | [τ]ῆς συγκλήτου ἀγνο|[εῖ]ν, ὅς, ἐὰν μετ' ἐμπεί||[ρ]ων συναντιβάλῃς, | [ε]ἴσῃι μὴ εἶναι ἐπάναγ|[κ]ες συγκλητικῶι | [δ]ήμου Ῥωμαίων ἄκον|[τι] ξένον ὑποδέχε||[σ]θαι. Ἐδόθη | α' καλ. Ἰουνι. Ῥώμηι, | [Φα]βίωι Κείλωνι τὸ β' καὶ | [Ἀ]ννίωι Λίβωνι ὑπάτοις]. |*

II Sacra*e* *litt*erae⟨s⟩. | Videris *nobi*s s. co. | ignorar*e qu*i si cum | peritis *contul*eri*s* || scies s*enat*ori p. R. | necess*e non* esse | invito *hos*pitem | suscip*ere*. | Dat. pri*d*. *kal*. Iun. *Romae* || *Fab*io Ci*lone II* et | *Ann*io *Lib*one coss.

From the island of Paros. This edict was issued in answer to a complaint lodged by a magistrate or private citizen on the island. The inscription seems to have been set up on the wall of the house owned by the senator who claimed immunity from the service of lodging officials or soldiers. There is no other record of the decree of the senate to which the emperors refer. The liturgy of furnishing *hospitium* was most severe, and complaints of the abuses which were inflicted by the members of the bureaucracy and army characterize most of the documents of the third century. *Cf.* nos. 113, 139, 141–144. On the character of this document, *cf.* pp. 236 *ff.* On immunity, *cf.* pp. 101 *ff.*

## 133. DECRETUM MYLASENSIUM DE TRAPEZITIS

(209–211 p. Chr.)

Ditt. *Or. Gr.* 515.

. . . . . . . . . ην . . . φ . . . | . . . . . . . . . . γα . . . . . . | . . . . . . εσειν . . . . . . δ . ονετ . . . . . . . . . . | τὴν βουλὴ[ν κ]α[ὶ τὸν δῆμον . . . . . . . . . || . . . . . . . κο]ινὴν ὁμόφρονα γνώ[μην . . . . . . . | . . . . . . ] ἐν ταῖς νομίμοις ἡ[μέραις . . . . . . | . . . . . . . . . ]ων ἐπανορθῶ[σαι . . . . . . . . . | . . . . . ] ἀφορήτου πᾶσιν ὄντος το[ῦ . . . . . . . | . . , οὐ φαίν]ηται δὲ δύνασθ[αι ἰαθῆναι || πλ]ὴ[ν] διὰ [τὴν τ]ῶν μεγίστων [καὶ θειοτάτων κυρ|ί]ων ἡμῶν Αὐτοκρατόρων Λο[υκίου Σεπτιμίου Σεου|ή]ρου Εὐσεβοῦς Περτίνακος κ[αὶ Μάρκου Αὐρηλίου Ἀν|τω]νίνου [Εὐσεβοῦς καὶ Ποπλίου Σεπτιμίου Γέτα Σεβα|σ]τῶν τύχην, ψηφίσματι τῆς β[ουλῆς καὶ τοῦ δήμου ἐπ||α]νορθωθέντα· δεδόχθαι τῆι [βουλῆι καὶ τῶι δήμωι. Ἐ|ά]ν τις οἱωιδητινιοῦν τρόπωι, [εἴτε ἐλεύθερος εἴτε | δ]οῦλος, ἔξωθεν τοῦ μεμισθωμ[ένου καὶ ἐργαζ|ο]μένου τὴν τράπεζαν, ἀμειβόμεν[ος ἁλῶι νόμισμα ἢ | πρι]άμενος, πρὸς τὸν τραπεζείτην [τοῦτον ἄγεσθαι || γεν]ομένης προσανγελίας τῆι βουλῆι [ὑπὸ τοῦ βουλομέ|νου τ]ῶν πολειτῶν, καὶ ἐλενχθέντα ἐπ[ὶ τῶν ἀρχόντων καὶ | τῆς] βουλῆς, εἰ μὲν ἄνευ κολλύβου τοῦτ[ο ἐποίησε, τοῦ ἀργυρίου | πρᾶξ]ιν εἶναι τῶι τραπεζείτηι καὶ τῶι μηνύσ[αντι καὶ ἑλόν|τι, ἔ]χοντος τοῦ τραπεζείτου καὶ κατ' αὐτὸν ἐξο[υσίαν πράττε||σθαι κα]θὰ ἠσφάλισται, εἰ δὲ ἐπὶ κολλύβωι, τὸν [μὲν ἐλεύθερον ἀπο|τίνει]ν (ε)ἰς τὸ ἱερώτατον ταμεῖον τῶν κυρίω[ν ἡμῶν θειοτά|των] αὐτοκρατόρων Ӿ φ', τῶι δὲ δήμωι Ӿ σν', κ[αὶ τῶι μηνύ|σαντ]ι καὶ ἑλόντι Ӿ ρ', καὶ τὸ φωραθὲν ἀργυροῦ[ν νόμισ|μα πρ]ασσόμενον εἶναι στερέσιμον τῶι τραπεζε[ίτηι· τὸν δὲ δοῦλ||ον ἐλ]ενχθέντα ὡς προγέγραπται, παραδοθέν[τα δὲ ὑπὸ τοῦ δεσ|πότου] τοῖς ἄρχουσι ἐπὶ [τῆ]ς βουλῆς, μαστειγοῦσθα[ι ν' πληγὰς | καὶ] ἐμβάλλεσθαι (ε)ἰς τὸ πρακτόρειον καὶ εἶναι [αὐτὸν | ἐπὶ] τῆς (ε)ἱρκτῆς τασσόμενον μῆνας ἕξ· ἐὰν δὲ [ὁ δεσπότης μὴ | ποι]ήσ[ε]ιε ταῦτα τὸν δοῦλον, ὀφείλειν αὐτὸν τὰ [γεγραμμένα || ἐπί]τειμα τῶι ἱερωτάτωι ταμείωι καὶ τῶι δήμωι [καὶ τῶι μηνύσαντι καὶ | ἑλό]ντι. Τὰς δὲ τοιαύτας προσανγελίας εἰσδέ[χεσθαι τὸν γραμματέα | τῶν] ἀρχόντων, γενομένης μετὰ τὸ ἐπιδ[οθῆναι τὴν προσ|αγγελ]ίαν προγραφῆς ἐφεξῆς ἐπὶ τρεῖς ἡμέ[ρας ἐν ἱεροῖς | καὶ δη]μοσίοις τόποις, ῥητῶς τῆς προγραφῆς [λεγούσης ὅτι || συνάγ]εται

ἡ βουλὴ διὰ τοῦτο. Ἐὰν δὲ οἱ ἄρχοντε[ς ἢ ὁ γραμματεὺς | τῶν
ἐψη]φισμένων τι παραλίπωσιν ἢ οἱ βουλευταὶ [μὴ συν|έλθω]σιν
δυνατοὶ ὄντες καὶ ἐπίδημοι, τοὺς μὲν [ἄρχοντας καὶ | τὸν γραμ]-
ματέα ἀποτεῖσαι ἕκαστον αὐτῶν (ε)ἰς τὸ [ἱερώτατον ταμεῖον | τῶν
45 Σεβα]στῶν ἀνὰ 𐆖 τʹ, τοὺς δὲ βουλευτὰς [ἀνὰ 𐆖 . . ἀναγρά||ψαι δὲ
τό]δε τὸ ψήφισμα ἐν στήληι, ἣν καὶ ἀνα[σταθῆναι | δεήσει ἐν τῆι]
ἀγορᾶι ἐν τῶι ἐπισημοτάτωι τόπωι, ὥσ[περ νόμον εἰς τὸν πάν|τα
χρόνο]ν καταστῆσον· σαλεύει γὰρ ὡς ἀλη[θῶς ἡ σωτηρία | τῆς
πόλε]ως ἐκ κακουργίας καὶ πανουργίας ὀλί[γων τινῶν | αὐτῆι
50 ἐπεμβα]ινόντων καὶ ἀπονοσφιζομένων τ[ὰ κοινά, ὧν ὑπὸ || τῆς
δυνάμ]εως κόλλυβός τις ἐνπεφοίτηκεν εἰς [τὴν ἀγοράν, | κωλύων
τὴν πό]λιν τὰ ἐπιτήδ(ε)ια ἔχειν, ἀπορούντων [τῶν πολλῶν | καὶ
τοῦ κοινοῦ σ]πανίζοντος. Καὶ διὰ τοῦτο καὶ ἡ εὐ[πορία ἡ | πρὸς
τοὺς κυρίους αὐ]τοκράτορας τῶν φόρων βραδύνει . . . . . . . . .|
. . . . . . . . . . . . . . . . . . . . μεγάλης ἡγεμονίας τοῦτο πᾶσα ἡ. . . .
55 . . . . .||. . . . . . . . . . . . . . . . ἐπανορθῶσαι. Succlam(atum) est.
(E)ἰς αἰῶ[να . . . . . . . . . .|. . . . . . . . . . .]ων ἀνεικήτοις τοῖς κυ-
ρίοις, ναοῖς [. . . . . .|. . . . . . . . κόλλ]υβον. Τὸ ζῆν οὐκ ἔχομεν,
ἀλλ' ἡ πό[λις . . . . . . . .|. . . . . . . . πονη]ρευόμενοί τινες ἐνπο-
ρείας ταρ[άσσουσιν καὶ | τὸ νόμισμα . . . .]ουσιν τὸ ἀργυροῦν,
60 καὶ τοῦτο [. . . . . . . . . .||. . . . . . . . . . . . . . τ]οὺς νόμους πολλάκις ἡ
βο[υλὴ. . . . . . . . . . . .|. . . . . . . . . .]π. . . . . . πολειτ. . . . . . . . . .

From Mylasa. As was the case at Pergamum (*cf.* no. 81), Mylasa derived a certain revenue from the exchange of local and foreign currency. The right of exchange was leased to a firm of bankers. Apparently private individuals had also engaged in the business to such an extent that trade had been demoralized and the revenues of the municipality seriously impaired. The document is of interest because the fines and penalties are imposed by the city, and the local magistrates and senate administer the law. This is the latest evidence for the independent powers of municipal governments in initiating legislation in the imperial period (*cf.* Mommsen, *Röm. Strafrecht*, 114). The court is constituted by the magistrates and senate of the city. The secretary is empowered to summon the court on giving three days' notice. A fine, payable to the imperial *fiscus*, is imposed on any member of the court who fails to attend the session when he is able to do so.

Reinach (*B.C.H.* 20 (1896), 523 *ff.*) offers the following explanation of the monetary crisis. The municipal laws probably required the use of local coinage in the transaction of business within the city. As at Pergamum the rate of exchange was fixed. With the rapid depreciation of imperial coinage, traders and speculators purchased the undepreciated local currency and by holding it or by hoarding, it disappeared from circulation. There was a consequent rise in local prices and trade was seriously hampered. The law attempted to remedy conditions by confining all transactions in exchange to the municipal bank or to the firm which leased the privilege of exchange from the city (*cf.* nos. 81, 199).

## 134. EPISTULA IMPERATORIS CARACALLAE AD PHILADELPHENOS

(213–214 p. Chr.)

Ditt. *Syll.*$^3$ 883; Lafoscade, 78; Cagnat, *IGRR*. 4, 1619.

*Ἀντωνεῖνός σ᾽ ἔκτιζε. | Αὐτοκράτωρ | Καῖσαρ Μᾶρκος | Αὐρήλιος Ἀντωνεῖ||νος Εὐσεβὴς Σεβασ|τὸς Παρθικὸς μέγισ|τος Βρεταννικὸς μέ|γιστος Γερμανικὸς | μέγιστος Αὐρηλίωι || Ἰο[υλιανῶ]ι τῶι τιμι|ωτάτωι χαίρειν. | Εἰ καὶ μηδεὶς αἱρεῖ | λόγος τὸν Φιλαδελ|φέα Ἰουλιανὸν ἀ||πὸ τῶν Σαρδιανῶν | εἰς τὴν τῆς πατρί|δος μεταθεῖναι φι|λοτειμίαν, ἀλλ᾽ ὅμως | σὴν χάριν ἡδέως || τοῦτο ποιῶ, δι᾽ ὃν καὶ | τὴν νεωκορίαν αὐ|τὴν τοῖς Φιλαδελ|φεῦσ[ιν δέ]δωκα. | Ἔρρωσο Ἰουλι[ανὲ]|| τιμιώτατέ μοι καὶ φίλ|τατε. | Ἀνεγνώσθη ἐν τῶι | θεάτρωι ἔτους σμε΄, μη|νὸς Ἀπελλαίου ε΄.*

From Philadelphia. The letter is addressed to Aurelius Julianus who must not be confused with the Julianus about whom the letter is written. The latter was a native of Philadelphia who had become a resident of Sardis. Apparently he wished to undertake some liturgy for his native city—possibly in connection with the imperial cult—when the Sardians protested. Their motive was doubtless due to the rivalries and civic jealousies which so thoroughly inspired many of the cities of Asia under Roman rule. The Sardians had no legal claim to the exclusive services of Julianus, for by law the city of his birth took precedence over his place of residence (*Dig.* 50. 1. 1, 6, 16, 17; *Cod. J.* 10. 39. 1). When the Philadelphians took up the dispute with the emperor he replied that he would gladly fulfil the request of his friend Julianus, even if he had no legal right to do so.

## 135. TABULA PATRONATUS

(222 p. Chr.)

*CIL.* vi, 1454; Dessau, 6109.

Imp. Caes. M. Aur. Severo Alexandro | cos. eidib. Aprilibus | concilium conventus Clunien*s*. | G. Marium Pudentem Cornelia-|| num leg. leg., c. v., patronum | sibi liberis posterisque suis | co-optavit ob multa et egregia | eius in singulos universos|que merita, per legatum || Val. Marcellum | Cluniensem.

Bronze tablet found at Rome. The patron in this case, Cornelianus, a *legatus legionis*, belongs, as most patrons do, to the senatorial order. In Pliny's time Hispania Citerior was divided into seven *conventus* (*N.H.* 3. 3. 18), one of which had its seat at Clunia; *cf.* Kornemann, *R.E.* 4, 805, 1177; Schulten, *R.E.* 8, 2037. The election of a *patronus* by this *concilium conventus* seems to show that the *conventus* of Hispania Citerior was a political as well as a judicial division of the province. For a general treatment of the *concilia*, *cf.* pp. 162 *ff.*

## 136. ALBUM DECURIONUM

(223 p. Chr.)

*CIL.* ix, 338; Dessau, 6121.

L. Mario Maximo II, L. Roscio Aeliano cos.,
M. Antonius Priscus, L. Annius Secundus IIvir. quinquenn.
nomina decurionum in aere incidenda curaverunt.

patroni cc. vv.:
App. Claudiu s Iulianu s
T. Loreniu s Celsu s
M. Aediniu s Iulianu s
L. Didiu s Marinu s
(*et alia nomina viginti septem, in his*)
M. Statiu s Longinu s
C. Petroniu s Magnu s
M. Statiu s Longinus iun.
patroni eeqq. RR.:
P. Gerellanu s Modestu s
T. Ligeriu s Postuminu s
T. Munatiu s Feli x
T. Flaviu s Crocalianu s
C. Galbiu s Soterianu s
T. Aeliu s Rufu s
T. Aeliu s Flavianu s
Q. Coeliu Sabinianu s

quinquennalicii:
T. Ligeriu s Postuminu s
T. Annaeu s Rufu s
L. Abucciu s Proculu s
T. Aeliu s Rufu s
T. Aeliu s Flavianu s
M. Antoniu s Priscu s
L. Anniu s Secundu s
allecti inter quinq.:
C. Galbiu s Soterianu s
L. Abucciu s Iulianu s
C. Siliu s Ant*h*u s
P. Aeliu s Victorinu s
IIviralicii:
A. Caeselliu s Proculu s II
L. Faeniu s Merop s II
L. Abucciu s Maximianu s
Q. Iuniu s Alexande r II
(*et alia nomina viginti quinque*)

aedilicii:
T. Flaviu s Crocalianu s
(*et alia nomina duodeviginti, in his*)
L. Faeniu s Merop s iun.
quaestoricii:
L. Ceiu s Asclepiodotianu s
(*et alia nomina octo*)
pedani:
Q. Fabiu s Fabianu s
(*et alia nomina triginta et unum*)
praetextati:
T. Flaviu s Frontinu s
C. Iuliu s Hospitali s iun.
L. Abucciu s Proculu s iun.
(*et alia nomina viginti duo*)

A bronze tablet found at Canusium, now in Florence. Such lists were drawn up by the *quinquennales*. The regulations governing the revision of the list were usually stated in the *lex municipii*. For the early period, *cf.* no. 24, ll. 83 *ff.* In the later period the interference of the emperor is evident (*Dig.* 50. 3. 2, *qui dignitates principis iudicio consecuti sunt*). This album shows the normal number of one hundred decurions (*cf.* no. 151). In it also appear the names of thirty-nine *patroni* and twenty-five *praetextati*. In the album of Thamagudi (*CIL.* VIII, 2403; *S.* 17824; Dessau, 6122), of the middle of the fourth century, there are twelve *patroni* and fifty-nine decurions, and of the decurions a majority have been *flamines perpetui*, *i.e.* they have been priests of the imperial cult and consequently officially connected with the central government (Jullian, *Dict. Dar. s.v. flamen*, pp. 1180 *ff.*). On M. Aedinius Julianus in the album of Canusium, *cf.* no. 140. On *patroni*, *cf.* nos. 42 and 135. The groups of active decurions are arranged in the order of their rank. At the end come the *pedani* who have held no magistracy, and the *praetextati*, who were probably, for the most part, sons of decurions. However, all the sons of regular decurions cannot have been of age to wear the *praetexta*. Consequently the decurionship cannot have become hereditary as early as A.D. 223. Otherwise the names of minors would naturally appear in the list (Mommsen, *Festschrift zu Hirschfeld*, 4). The acceptance of the hereditary principle probably became the usage in the times of Diocletian and Constantine. It is explicitly laid down as a principle (Mommsen, *op. cit.* 5, n. 4) by Theodosius in *Cod. Th.* 12. 1. 20: *Is vero ratio diversa est qui statim ut nati sunt curiales esse coeperunt.* One group, whose presence in the album of Thamagudi a century and a half later and whose absence here is significant of a decline in municipal prosperity and of a desire to avoid the burdens which were being laid on the decurions as time went on, is that of the *excusati*. They were excused from the *munera* of the office. On the *munera*, *cf.* pp. 84 *ff.* The name of C. Petronius Magnus has been erased from the album, but may still be read. Dessau conjectures that he was put to death by Maximinus; *cf.* Herodian, 7. 1. 5; *Hist. Aug. Maximin.* 10. 1.

## 137. EPISTULA PROCONSULIS ASIAE AD APHRODISIENSES
(222–235 p. Chr.)

*Rev. d. ét. grec.* 19 (1906), 86 *f.*

. κε . . . . . . . . |
. εὐτ]υχεῖς δηλ[αδὴ ἀ]κόλουθόν ἐσ[τι | πάσ]ας πόλεις τὰς
5 καθωσιωμένας | [τ]ῆ μεγάλη αὐτοῦ τύχη φιλεῖν τε || καὶ τειμᾶν,
ὅπερ με ποιεῖν ἡδέως | κ[α]ὶ αὐτοὶ ἴστε, ἐξαιρέτως δὲ τὰς
τει|μηθείσας τῆ ἐλευθερία ὑπὸ τῶν προ|γόνων τοῦ κυρίου ἡμῶν
10 αὐτοκράτορο[ς] | (Ἀλεξάνδρου) βεβαιοῦντος αὐτο[ῦ || αὐτ]ὴν
καὶ αὔξοντος τὰ δίκαια οἷ[ς | εὐθυ]μεῖσθε καὶ ἡδέως ἐλεύσομα[ι |
πρὸς] ὑμᾶς καὶ ἐπιδημήσω ἐν τῆ λαμ|[προτ]άτη πόλει ὑμῶν καὶ
τῆ πατρίω ὑμῶν | [θεᾶ] θύσω ὑπέρ τε τῆς σωτηρίας καὶ αἰω||-
15 [ν]ίου διαμονῆς τοῦ τε κυρίου ἡμῶν αὐ|τοκράτορος (Ἀλεξάνδρου)
καὶ τῆς κυρ|[ίας] ἡμῶν Σεβαστῆς (Μαμαίας) μητρὸς | τοῦ κυρίου
20 ἡμῶν καὶ στρατοπέδων, | εἰ μήτε νόμος τῆς πόλεως ὑμῶν || [μ]ήτε
δόγμα συνκλήτου μήτε διάτα|ξις μήτε θεία ἐπιστολὴ κωλύει
τὸν | [ἀ]νθύπατον ἐπιδημεῖν τῆ πόλει [ὑμῶν]. | [Ε]ἰ γάρ τι
κωλύει τῶν προγεγρα[μμένων], | θύων, ὡς ἔθος μοί ἐστιν, τοῖς
25 [ἄλλοις || θε]οῖς ὑπέρ τε τῆς τύχης κα[ὶ σωτηρίας | κ]αὶ αἰωνίου
διαμονῆς τοῦ κυ[ρίου ἡμῶν] | αὐτοκράτορος (Ἀλεξάνδρου) [καὶ
τῆς] | μητρὸς αὐτοῦ (Μαμαίας) Σεβαστῆ[ς, κυρίας] | δὲ ἡμῶν,
30 καὶ τὴν πάτριον ὑμῶν [θεὰν ἐγ||κ]αλέσομαι. Ταῦτα δὲ ἀπεκρι-
[νάμην . . | . . . . τοῖς πρώτοις τῆς λαμπροτάτης] | ὑμῶν πόλεως. |
[Ἐρρῶσ]θαι ὑμᾶς εὔχομαι.

Since Aphrodisias was a *civitas libera*, whose privileges had been confirmed and extended by Alexander (l. 10), it could not be subjected to the expense of entertaining the provincial governor and his staff. In free towns this immunity was secured either by the municipal laws, a decree of the senate, or an imperial edict or letter (ll. 18–22). The governor is evidently Sulpicius Priscus (*cf.* no. 138). The name of the emperor has been erased on the stone.

## 138. TITULUS HONORARIUS

(222–235 p. Chr.)

*Rev. d. ét. grec.* 19 (1906), 84.

Ὁ δῆμος | τῆς λαμπροτάτης | Ἀφροδεισιέων | πόλεως Σουλπίκιον || Πρεῖσκον τὸν δια|σημότατον ἀνθύ|πατον κατὰ τὰς τοῦ | μεγίστου καὶ θειο|τάτου κυρίου ἡμῶν || αὐτοκράτορος Σεου|[ή]ρου (Ἀλεξάνδρου) [ἐντολάς (?)].

This inscription was recorded on the base of a statue set up in honor of the governor. The name of the emperor had been erased in antiquity. Although the restoration of the last word is uncertain, it is clear that the Aphrodisians had asked the emperor for permission to erect this statue. Augustus forbade provincials to pass honorary decrees for a governor until sixty days after his departure from his office (*cf.* p. 164). The erection of an honorary statue to provincial officials seems to have required special permission, but this is the only example in Greek lands known to us.

## 139. RESCRIPTUM GORDIANI AD SCAPTOPARENOS

(238 p. Chr.)

*CIL.* III, *S.* 12336; Cagnat, *IGRR.* I, 674; Ditt. *Syll.*$^3$ 888; Riccobono, p. 371; Girard, p. 205.

Bona Fortuna. Fulvio Pio et *Pon*tio Proculo cons. XVII kal. Ian. descriptum *e*t recognitum factum | *ex* *li*bro *li*bellorum rescript*o*rum a domino n(ostro) imp. Ca*e*s. M. Antonio Gordiano Pio Felice Aug. | *e*t proposit*o*rum *Romae* in portic*u* *the*rmarum Tr*a*ianarum in verba *q*(*uae*) i(nfra) s(cripta) s(unt); | dat(um) per Aure(lium) Purrum mil(item) coh(ortis) x *pr*(*aetoriae*) *P*(*iae*) *F*(*elicis*) Gordiana*e* Proculi con*v*icanu*m* et con*p*ossess*o*rem. I

Αὐτοκράτορι Καίσαρι Μ. Ἀντωνίῳ | Γορδιανῷ Εὐσεβεῖ Εὐτυχεῖ Σεβ. δ̣έησις | παρὰ κωμητῶν Σκαπτοπαρηνῶν τῶν καὶ | Γρησειτῶν· ἐν τοῖς εὐτυχεστάτοις καὶ αἰωνίοις || σοῦ καιροῖς κατοικεῖσθαι καὶ βελτι|οῦσθαι τὰς κώμας ἤπερ ἀναστάτους | γίγνεσθαι τοὺς ἐνοικοῦντας πολλά|κ(ις) ἀντέγραψας· ἔστιν γε καὶ ἐπὶ τῇ τῶν | ἀνθρώπων σωτηρίᾳ τὸ τοιοῦτο καὶ ἐπὶ || τοῦ ἱερωτάτου σου ταμείου ὠφελείᾳ. | Ὅπερ καὶ αὐτοὶ ἔννομον ἱκεσίαν | τῇ θειότητί σου προσκομί[ζ]ομεν, εὐ|χόμενοι ἱλέως ἐπι- II

*νεῦσαι ἡμεῖν | δεομένοις τὸν τρόπον τοῦτον. Οἰκοῦ||μεν καὶ κεκτήμεθα ἐν τῇ προγεγραμ|μένῃ κώμῃ οὔσῃ εὐεπεράστῳ διὰ τὸ | ἔχειν ὑδάτων θερμῶν χρῆσιν καὶ κεῖ|σθαι μέσον δύο στρατοπέδων τῶν ὄν|των ἐν τῇ σῇ Θρᾴκῃ· καὶ ἐφ᾽ οὗ μὲν τὸ || πάλ⟨λ⟩αι οἱ κατοικοῦντες ἀόχλητοι | καὶ ἀδειάσειστοι ἔμενον, ἀνενδεῶς | τούς τε φόρους καὶ τὰ λοιπὰ | ἐπιτάγματα συνετέλουν· ἐπεὶ δὲ κατὰ καιροὺς εἰς | [ὕ]β[ρι]ν προχωρεῖν τινες καὶ βιάζεσθαι || ἤρξαντο, τηνικαῦτα ἐλαττοῦσθαι | καὶ ἡ κώμη ἤρξατο. Ἀπό γε μειλίων | δύο τῆς κώμης ἡμῶν πανηγύρεως | ἐπιτελουμένης διαβοήτου οἱ ἐκεῖσε | τῆς πανηγύρεως εἵνεκεν ἐπιδημοῦν||τες ἡμέρας πεντεκαίδεκα ἐν τῷ | τόπῳ τῆς πανηγύρεως οὐ καταμέ|νουσιν, ἀλλ᾽ ἀπολιμπάνοντες ἐπέρ|χονται εἰς τὴν ἡμετέραν κώμην | καὶ ἀναγκάζουσιν ἡμᾶς ξενίας || αὐτοῖς παρέχειν καὶ ἕτερα πλεῖστα εἰς | ἀνάλημψιν αὐτῶν ἄνευ ἀργυρίου χο|ρηγεῖν· πρὸς δὲ τούτοις καὶ στρατιῶται | ἀλλαχοῦ πεμπόμενοι καταλιμπά|νοντες τὰς ἰδίας ὁδοὺς πρὸς ἡμᾶς πα||ραγείνονται καὶ ὁμοίως κατεπείγουσιν | παρέχειν αὐτοῖς τὰς ξενίας καὶ τὰ ἐπι|τήδια μηδεμίαν τιμὴν καταβαλόντες· | ἐπιδημοῦσι δὲ ὡς ἐπὶ τὸ πλεῖστον | διὰ τὴν τῶν ὑδάτων χρῆσιν οἵ τε ἡγού||μενοι τῆς ἐπαρχίας, ἀλλὰ καὶ οἱ ἐπί|τροποί σου· καὶ τὰς μὲν ἐξουσίας συ|ν(εχ)έστατα δεχόμεθα κατὰ τὸ ἀναγκαῖον, | τοὺς (δὲ) λοιποὺς ὑποφέρειν μὴ δυνάμεν|οι ἐνετύχομεν πλειστάκις τοῖς ἡγε||μόσι τῆς Θρᾴκης, οἵτινες ἀκολούθως | ταῖς θείαις ἐντολαῖς ἐκέλευσαν ἀοχλή|τους ἡμᾶς εἶναι· ἐδηλώσαμεν γὰρ μη|κέτι ἡμᾶς δύνασθαι ὑπομένειν, ἀλ|λὰ καὶ νοῦν ἔχειν ἐνγκαταλιπεῖν καὶ τοὺς || πατρῴους θεμελίους διὰ τὴν τῶν | ἐπερχομένων ἡμεῖν βίαν· καὶ γὰρ | ὡς ἀληθῶς ἀπὸ πολλῶν οἰκοδεσπο|τῶν εἰς ἐλαχίστους κατεληλύθα|μεν. Καὶ χρόνῳ μέν τινι ἴσχυσεν || τὰ προστάγματα τῶν ἡγουμένων | καὶ οὐδεὶς ἡμεῖν ἐνόχλησεν οὔτε | ξενίας [αἰτή]ματι οὔτε παροχῆς ἐπι|τηδείων, προϊόντων δὲ τῶν χρόνων | πάλιν ἐτόλμησαν ἐπιφύεσθαι ἡ||μεῖν πλεῖστοι ὅσοι τῆς ἰδιωτίας | ἡμῶν καταφρονοῦντες. Ἐπεὶ οὖν οὐ|κέτι δυνάμεθα φέρειν τὰ βάρη | καὶ ὡς ἀληθῶς κινδυνεύομεν ὅπερ | οἱ λοιποὶ [ὧ]δε καὶ ἡμεῖς προλιπεῖν || τοὺς προγονικοὺς θεμελίους, τού|του χάριν δεόμεθά σου, ἀνίκητε | Σεβαστέ, (ὅ)πως διὰ θείας σου ἀντιγρα|φῆς κελεύσῃ(ς) ἕκαστον τὴν ἰδίαν πο|ρεύεσθαι ὁδὸν καὶ μὴ ἀπολιμπάνοντας || αὐτοὺς τὰς ἄλλας κώμας ἐφ᾽ ἡμᾶς | ἔρχεσθαι μήτε καταναγκάζειν | ἡμᾶς χορηγεῖν*

αὐτοῖς προῖκα τὰ | ἐπιτήδια, ἀλλὰ μηδὲ ξενίαν αὐτοῖς | παρέχειν οἷς μή ἐστιν ἀνάγκη—ὅτι || γὰρ οἱ ἡγούμενοι πλεονάκις ἐκέ|λευσαν μὴ ἄλλοις παρέχεσθαι ξε|νίαν εἰ μὴ τοῖς ὑπὸ τῶν ἡγουμέ|νων καὶ ἐπιτρόπων πεμ|πομένοις εἰς ὑπηρεσίαν, ἐάν τε || βαρ[ώ]μεθα, φευξόμεθα ἀπὸ τῶν | οἰκείων καὶ μεγίστην ζημίαν τὸ | ταμεῖον περιβληθήσεται—ἵνα | ἐλεηθέντες διὰ τὴν θείαν σου | πρόνοιαν καὶ μείνα(ντε)ς ἐν || τοῖς ἰδίοις τούς τε ἱεροὺς φόρους | καὶ τὰ λοιπὰ τελέσματα παρέχειν | δυνησόμεθα· συμβήσεται δὲ | τοῦτο ἡμεῖν ἐν τοῖς εὐτυχεστά|τοις σου καιροῖς, ἐὰν κελεύσῃς || τὰ θεῖά σου γράμματα ἐν στή|λῃ ἀναγραφέντα δημοσίᾳ π(ρ)ο|κεῖσθαι, ἵνα τούτου τυχόντες | τῇ τύχῃ σου χάριν ὁμολογεῖν | δυνησόμεθα, ὡς καὶ νῦν κα. . .||ώμενοι σοῦ ποιοῦμεν. |

III Διογένης ὁ Τύριος ὁ π[ραγμα|τικὸς] ἀπὸ θείας φιλανθρω|πίας ἐπὶ τὴν ἔντευξιν ταύ|την ἐλήλυθεν· δοκεῖ δέ || μοι θεῶν τις προνοήσασθαι | τῆς παρούσης ἀξιώσεως· | τὸ γὰρ τὸν θειότατον αὐτο|κράτορα περὶ τούτων πέμ|ψαι τὴν ἰδίαν γνῶσιν ἐπὶ || σέ, ὅ[ν] ᾔδε[ι] ἤ[δ]η φθάσαντα | περὶ τούτου καὶ προγράμ|μασιν καὶ διατάγμασιν | δεδωκέναι, τοῦτο ἐμοὶ δο|κεῖ τῆς ἀγαθῆς τύχης ἔργον || εἶναι. Ἦ(ν) δὲ ἡ ἀξίωσις· ἡ κώ|μη ἡ τοῦ βοηθουμένου στρα|τιώτου ἐστ[ὶν] ἐν τῷ καλλί|στῳ τῆς πολειτίας τῆς ἡμε|τέρας τῶν Παυταλιωτῶν || κειμένη, καλῶς μὲν τῶν ὀρῶν | καὶ τῶν πεδίων ἔχουσα, | πρὸς δὲ τούτοις καὶ θερ|μῶν ὑδάτων λουτρὰ οὐ μό|νον πρὸς τρυφὴν ἀλλὰ καὶ || ὑγείαν καὶ θεραπείαν | σωμάτων ἐπιτηδειότατα, | πλησίον δὲ καὶ πανήγυρις | πολλάκις μὲν ἐν τῷ ἔτει | συναγομένη, περὶ δὲ [κ]α[λ]. || Ὀκτωμβρίας καὶ εἰς πεντε|καίδεκα ἡμερῶν ἀτ̣[έλειαν]· | συμβέβηκεν τοίνυν τὰ δοκοῦν|τα τῆς κώμης ταύτης πλεον|εκτήματα τῷ χρόνῳ περι||εληλυθέναι αὐτῆς εἰς ἐλ[ατ|τ]ώματα· διὰ γὰρ τὰς | προειρημένας ταύτας | προφάσεις πολλοὶ πολλά|κις στρατιῶται ἐνεπιδη||μοῦντες ταῖς τε ἐπιξενώ|σεσι καὶ ταῖς βαρήσεσιν | ἐνοχλοῦσι τὴν κώμην· | διὰ ταύτας τὰς αἰτίας πρό|τερον αὐτὴν καὶ πλουσιο||τέραν καὶ πολυάνθρωπον | [μᾶλλον] οὖσαν νῦν εἰς ἐσχά|την ἀπορίαν ἐληλυθέναι. | Ἐπεὶ τούτων ἐδεήθη|σαν πολλάκις καὶ τῶν ἡγου||μένων, ἀλλὰ καὶ μέχρις τι|νὸς ἴσχυσεν αὐτῶν τὰ | προστάγματα, μετὰ δὲ | ταῦτα κατωλιγωρήθη | διὰ τὴν συνήθειαν τῆς || τοιαύτης ἐνοχλήσεως· | διὰ τοῦτο ἀναγκαίως κατ|έφυγον ἐπὶ τὸν θειότατον | [αὐτοκράτορα . .

IV Imp. Caesar M. Antonius Gordianu*s* *Pius* Felix Aug. *v*ikanis *p*er Pyrrum mil(item) con*pos*ses|sorem: id genus qu*ae*rellae praecibus intentum an*te* iustitia pr*aesi*dis | *p*oti*us* *s*uper his quae adlegabuntur instructa discin*ge* *qu*am rescripto principali | certam formam reportare debeas. Rescripsi. Recognovi. Signa.

From Scaptopara in Thrace. The village was within the territory of the city Pataulia. The residents of Scaptopara had frequently complained to the governors of Thrace of the exactions made by soldiers, visitors, and especially officials of the province who demanded the right of being entertained at the expense of the community, although an imperial edict had exempted them from the liturgy of *hospitium*, or of furnishing supplies except on a requisition from the governor or procurator. This edict had been respected for a time, but the exactions had been renewed; the residents of Scaptopara had been reduced from affluence to poverty, and now threaten to abandon their property with consequent loss to the imperial treasury. After appealing in vain to the provincial authorities, the villagers presented their petition direct to the emperor through one of their number, Pyrrhus, who is also called a member of the praetorian cohort. He was probably a veteran who, on his discharge, had taken up his residence in this village. The emperor replied that petitions of this kind should be directed to the provincial governor, and Pyrrhus was sent back to this official with a copy of the petition and a recommendation to the governor that he enforce the edicts (ll. 110 *ff.*). The action taken by the authorities is indicated in the statement of Diogenes, although the villagers did not take the trouble to engrave the whole of his letter upon the stone. It is therefore impossible to determine the nature of the remedies promised, but the answer must have been satisfactory or it would not have been engraved on stone.

The position held by Diogenes is uncertain. The editors of the inscription have restored π[ραγματικός] in l. 101 but it is also possible to restore π[ραγματευτής], which is a Greek rendering of the Latin *actor* (Ramsay, *Cities and Bishoprics*, I, 281). The term π[ραγματικός] is extremely rare in Greek inscriptions, and is found only in Magnesia where the magistracy was apparently important (Kern, *Inschriften von Magnesia*, 189). Diogenes, however, was a Tyrian and probably an imperial freedman in charge of the imperial estates in Thrace. If we restore π[ραγματευτής] as the title of Diogenes, we must assume that Scaptopara formed part of an imperial property within the territory of Pataulia. *Cf.* no. 90 where the estates of Hipparchus had been confiscated by the emperor and held for a time before being sold. Thus imperial estates might exist even within the territory of a free city. It is evident that the Pataulians were not concerned in the petition in any way, and Scaptopara acted on its own initiative without reference to the municipal authorities within whose territory the village lay. On the other hand the villagers do not call themselves tenants of the emperor, but property-owners in their own right, and Pyrrhus is styled as a *conpossessor*. It is possible that the imperial estates in Thrace were organized on a different basis from those in other parts of the empire. In l. 116 Scaptopara is called the village of the soldier Pyrrhus and it is possible that he held some sort of a grant as a reward for his military service. In ll. 10 and 86 the villagers call attention to the peril of the imperial *fiscus* which was threatened if further exactions were permitted. In this respect the complaint is similar to the petitions from Asia which clearly come from imperial estates (*cf.* nos. 113, 141–144, Bruns, 93). In ll. 3 *ff.* of the petition the villagers appeal to the emperors recalling their great concern in the depopulation and desertion of village-communities which they had already observed and had attempted to remedy by their edicts. For the interpretation of the terms *rescripsi*, *recognovi*, see pp. 242 *ff.*

Rostovtseff has recently put forward a new and interesting theory concerning the policy of the imperial government in the third century towards the municipalities and villages of the empire (*Mus. Belge*, 27 (1923), 233 *ff.*). In his opinion the reigns of Commodus and Septimius Severus marked a struggle, not between the imperial power and the senate, but between the army and the wealthier classes in the municipalities. The edict of Caracalla aimed at a political and social levelling of the classes. The emperor Maximinus, chosen by the soldiers, acted as their representative in systematically persecuting the privileged classes especially in the municipalities, and the counter-revolution provoked in Africa was led by the proprietors or wealthy residents of the towns. The army and the military emperors had one aim—the levelling, politically, socially, economically, and intellectually, of the privileged classes. One of the prime factors in this policy was the change in the character of the army at the end of the second century. The citizen-soldiery had disappeared, and the army was composed largely of peasants drawn from provinces least Romanized or Hellenized, and the troops were conscripted largely from the most warlike and least civilized classes.

The peasants resident in the country villages (*pagani*) were usually despised by the urban population and regarded, not as members of the body politic, but as subjects to be exploited. In the second century the emperors sought to create a sturdy class of peasantry in order to strengthen the dying municipalities. They only succeeded in intensifying the antagonism of town and country and in making the peasant realize his importance, for he now regarded the emperor as his protector against the urban population. Moreover the peasant now had the army to enforce his will.

Rostovtseff finds proof of his argument in the number of petitions addressed by villagers direct to the emperor instead of to the provincial governor. Almost all of these complaints are directed against the system of requisitions and contain accusations charging the governors with indifference to the interests of the people. Finally, most of the appeals were transmitted by soldiers.

While the author promises fuller proof of his theory in a forthcoming work, the evidence seems to contradict the main points of his argument. In the third century most, if not all, complaints of this character come from tenants on imperial estates, not from municipal villages, and are directed for the most part against the very soldiers who are supposed to have the interests of the peasants at heart. Besides the soldiers, the chief offenders are the imperial agents who might naturally be supposed to represent the policy of the government in their treatment of the provincials. In view of the fact that the provincial governors were powerless to control the undisciplined bands of soldiers scattered throughout their district, the tenants on imperial estates would naturally direct their appeals to the emperor when they found that the governors were powerless or incompetent, or even conniving with other imperial agents in illegal acts.

While we would agree with Rostovtseff in his claim that the army and military leaders exploited the wealthier classes, we believe that this was done through no higher motive than the need of raising money to replenish an exhausted treasury and to support a greedy and clamorous army. There does not seem to be any evidence for the theory that the army or the emperors were concerned in the elevation of the peasantry as a means of supporting the city or infusing new strength into the municipalities. The foundations in the early part of the second century were devoted to checking the decline in native stock, but the charitable endowments were neither far-reaching nor widely extended geographically, and most of them must have been dissipated as a result of the depreciation of money and the ravages of civil wars. In the third century the records of legislative achievement have disappeared for the most part, but the general tendency of the peasant class was not in the direction of social or economic regeneration but rather downward, for the agricultural laborer appears in the legislation of Constantine bound by laws which regard him as a virtual serf. To attribute to the peasants of the empire any stirring of class-consciousness is anachronistic.

## 140. TITULUS HONORARIUS

(238 p. Chr.)

*CIL.* xiii, 3162; Desjardins, *Géographie de la Gaule romaine*, 3, planches vii, viii, ix.

I

T(ito) Sennio Sollemni, Sollem|nini fil(io), duumvir(o)...| (*deficiunt tres versus*) | ...genus spec|taculorum...gladia|...quibus per qua|...mission...| (*deficiunt tres versus*) Cons...| in perp... staur...Sollemnis, || amicus Tib(erii) Claud(ii) Paulin(i), leg(ati) Aug(usti) pro pr(aetore) pro|vinc(iae) Lugd(unensis) et cliens fuit; cui, postea, | *l*eg(ato) Aug(usti) pr(opraetore) in Britan(nia), ad legionem sex(tam) | adsedit, *q*uique et salarium militiae | *in* auro aliaque munera longe pluris miss*it*. || Fuit cliens probatissimus Aedini*i* Iuliani, | leg(ati) Aug(usti) prov(inciae) Lugd(unensis), qui postea praef(ectus) praet(orio) | fuit, sicut epistula, quae ad latus

scripta est, | declaratur; adsedit etiam, in provincia Num(idia) | Lambense, M(arco) Valerio Floro, trib(uno) mil(itum) leg(ionis) tertiae Aug(ustae), || iudici arcae ferrar(iarum). | TRES PROVINCIAE GALLIAE | primo umquam, in sua civitate, posuerunt. | Locum ordo civitatis Viducass(ium) liber(ae) d(e)d(it). | P(ositum) decimum septimum k(alendas) Ian(uarias), Pio et Proculo || co(n)s(ulibus). |

## II

*E*xemplum epistulae Cl(audii) | *P*aulini, leg(ati) Aug(usti) pr(o)pr(aetore) prov(inciae) | *B*ritanniae, ad Sennium Sol*lem*|nem, —a Tampio. || "Licet plura merenti, tibi, h*aec*, | a me, pauca tamen, quonia*m* | honoris causa offeruntu*r*, | velim accipias libente*r*: | chlamidem Canusinam, || dalmaticam Laodiceam, fibulam | *au*ream, cum gemmis, rachanas | duas, tossiam Brit(annicam), pellem vit*uli* | *m*arini.—Semestris autem epistulam, | ubi propediem vacare coepe*rim*, || mittam, cuius militiae salarium, | *i*d est; sestertium viginti quinque millia n(ummum), in auro, suscipe. | *D*is faventibus et maiestate sancta | *i*mp(eratoris), deinceps, pro meritis | *a*dfectionis magis digna || consecuturus. Concordia." |

## III

Exemplum epistul(ae) Aedin*ii* | Iuliani, praefecti praet(orio), | ad Badium Comnianum, pr*o*|cur(atorem) et vice‹s› praesidis agent(em). || "Aedinius Iulianus, Badio | Comniano, sa(lutem).—In provincia | Lugduness(i), quinque fascal(ia) | cum agerem, plerosq(ue) bonos | viros perspexi, inter quos || Sollemnem istum, oriundum | ex civitate Viduc(assium), sacerdotem, | quem, propter sectam, gravitat(em) | et honestos mores, amare coep*i*. | His accedit quod, cum Cl(audio) Paulin*o*, || decessori meo, in Concilio | Galliarum, instinctu quorund*am*, | qui, ab eo, propter merita sua, lae*di* | videbantur, quasi ex consensu provin*c*(iae), | accussationem instituere tentar*ent*, || Sollemnis iste meus proposito eo*rum* | restitit, provocatione scilicet inte*rpo*|*s*ita, quod patria eius, cum, inter ce*teros*, | legatum eum creasset, nihil de ac*cussa*|*t*ione mandassent, immo, contra, laudas*se*||nt; qua ratione effectum est ut o*mnes* | *a*b accussatione desisterent: que*m* | magis, magisque amare et compro*bare* | coepi. Is, certus honoris mei er*ga* | *s*e, ad videndum me, in Urbem venit. || Proficiscens, petit ut eum tibi *com*|memdarem: recte itaque feceris, s*i* | d*eside*rio illius adnueris...—et r(eliqua)..." |

Found in the sixteenth century at Vieux in Normandy, on the site of Araegenuae, the chief village of the Viducasses. The stone was transported to Thorigny, where it remained for many years, and the document is commonly known as the inscription of Thorigny. It is cut on three sides of a block of marble which formed the pedestal of a statue. On the front of the monument there is a record (styled I here), somewhat fragmentary, of the offices and benefactions of Sollemnis, of his relations with distinguished men, of the action of the three provinces, Lugdunensis, Aquitania, and Belgica, in authorizing the statue and of the Viducasses in providing a place for it, and the date. The right hand side (II) contains a copy of a letter to Sollemnis from Claudius Paulinus, propraetor of Britain, written at an unknown place, Tampium, mentioning certain gifts which Paulinus makes to Sollemnis. On the left side of the pedestal (III) there is a copy of a letter from Aedinius Julianus, praetorian prefect, to Badius Comnianus, procurator, and therefore the interim governor of Lugdunensis, recommending Sollemnis to the good offices of Comnianus particularly because of a service which Sollemnis had rendered Paulinus at a meeting of the assembly of the Gauls. Aedinius Julianus was praetorian prefect about A.D. 235. This fact dates his letter as probably between A.D. 235 and 238. He had been governor of Lugdunensis about 230. His immediate predecessor in this province had been Cl. Paulinus, who, at the time of writing the letter on the left side, was propraetor of Britain. Therefore, after being governor of Lugdunensis and before receiving the post in Britain, he must have been consul, since the governorship of Britain was a consular office (Marquardt, *St. Verw.* 1, 287). According to *CIL.* VII, 1045, he was probably in Britain about 232 (Desjardins, *op. cit.* 3, 204, n. 1), and the stormy scene in the *concilium* at Lugdunum occurred three years or more before this date. He is one of the *patroni* in the album of Canusium (no. 136). Sollemnis was *sacerdos Romae et Augusti* at Lugdunum, the place of meeting of the *concilium*, but the statue was set up in his native village. All the cities of the three provinces, fifty-seven in number at the beginning of the empire (Carette, *Les assemblées prov. de la Gaule rom.* 119 *ff.*), had the right to send deputies. From the expression *cum inter ceteros legatum eum creasset*, it may be inferred with some probability that certain cities had more than one deputy. This *concilium* could evidently inquire into the conduct of a governor, and draw up an accusation against him. We have no other epigraphical record of the exercise of such power by a *concilium* unless indirect reference is made to it in no. 161. However, Tacitus and other writers mention nineteen cases in which such charges were made by *concilia* (Guiraud, *Les assemblées prov.* 173 *f.*). Several inscriptions mention resolutions passed in honor of a retiring governor (*cf. CIL.* III, 1412; X, 1430–1432). For another possible instance of the exercise of important political functions by a Gallic *concilium*, *cf.* no. 50. Probably *ex consensu provinciae* (III, 18) means the same as *universi censuerunt* (*CIL.* II, 4248). This conclusion seems to be confirmed by the addition of *quasi* here (*cf.* Guiraud, *op. cit.* 109). On the legal meaning of *consensus*, *cf.* Leonhard, *R.E.* 4, 906. The deputies would seem in some cases to have come with instructions from their native cities; *cf. nihil mandassent*, III, 23–24. For the use of *et reliqua* at the end, *cf. Hist. Aug. Firmi*, 5.

### 141. RESCRIPTUM IMPERATORUM DE QUERELLIS ARAGUENORUM

(244–247 p. Chr.)

Ditt. *Or. Gr.* 519; Cagnat, *IGRR.* 4, 598; *Röm. Mitth.* 13 (1898), 231 *ff.*; Riccobono, p. 373; Bruns, 93; *CIL.* III, *S.* 14191; Girard, p. 207.

Ἀγαθῆι τύχηι |

Imp(erator) Caes(ar) M. *Iul*(*ius*) Phil*ippus Aug*(*ustus*) et M. *Iul*(*ius*) *Philippu*s n*o*bi*l*issimus Caes(ar) M. Au*relio Eglecto* | pe(r) Didymum miugenerum. Proco*n*sule v. c. perspecta fide eorum quae *scribis*, *ne* | quid iniuriose geratur, ad sollicitudinem suam revocabit. xa. || Αὐτοκράτορι Καίσαρι Μ(άρκωι) Ἰουλίωι Φιλίππωι Εὐσεβεῖ Εὐτυχεῖ Σεβ(αστῶι) κ[αὶ Μ(άρκωι) Ἰουλίωι] | Φιλίππωι ἐπιφανεστάτωι Καίσαρι δέησις παρὰ Αὐρηλίου Ἐγλέκτ[ου ὑπὲρ τοῦ κοι]|νοῦ τῶν Ἀραγουηνῶν παροίκων καὶ γεωργῶν τῶν ὑμετέρων, [πρεσβείας γενομένης δαπ]|άνηι δήμου κοινο(ῦ Τ)ο[τ]τεανῶν Σοηνῶν τῶν κατὰ Φρυγίαν τόπων διὰ Τ(ίτου) Οὐ[ινίου Διδύμου] | στρατιώτου.—Πάντων ἐν τοῖς μακαριωτάτοις ὑμῶν καιροῖς, εὐσεβέσ[τατοι καὶ ἀλυ]||πότατοι τῶν πώποτε βασιλέων,

ἤρεμον καὶ γαληνὸν τὸν βίον δια[γόντων, πο]|νηρίας καὶ διασεισμῶν πε[π]αυμένων, μόνοι ἡμεῖς ἀλλότρια τ[ῶ]ν ε[ὐτυχεστάτων] | καιρῶν πάσχοντες τήνδε τὴν ἱκετεί[αν ὑ]μεῖν προσάγομεν ἐχέ[γγυοι τοῦ δικαίου τῆς δε]|ήσεως ἐν τούτοις.

Χωρίον ὑμέτερόν ἐσμεν ἱερώτατ[ον καὶ ὡσπερεὶ δῆ]|μος ὁλόκληρος, οἱ καταφεύγοντες καὶ γενόμενοι τῆς ὑμετέρας [θειότητος ἱκέται, δια]||σειόμεθα δὲ παρὰ τὸ ἄλογον καὶ παραπρασσόμεθα ὑπ' ἐκείνων ο[ὓς ἥκιστα ἀδικεῖν τὸν πλη]|σίον ὀφ(ε)ίλει.—Μεσόγειοι γὰρ τυγχάνοντες καὶ μ(ή)τε παρὰ στρατά[ρχου μήτε παρ' ἄλλου κακὰ παθόντες νῦν πάσ]|χομεν ἀλλότρια τῶν ὑμετέρων μακαριωτάτων καιρῶν· [πιέζουσι γὰρ ἡμᾶς οἱ διοδεύοντες] | τὸ Ἀππιανῶν κλίμα παραλιμπάνοντες τὰς λεωφόρους ὁ[δοὺς στρατάρχαι τε καὶ στρατ]|ιῶται καὶ δυνάσται τῶν προυχόντων κ[ατ]ὰ τὴν πόλιν [Καισαριανοί τε ὑ]||μέτεροι ἐπεισε[ρ]χόμενοι καταλιμπάνοντες τὰς λε[ωφόρους ὁδοὺς καὶ ἀπὸ τῶν] | ἔργων ἡμᾶς ἀφιστάντες καὶ τοὺς ἀροτῆρας βόας ἀγγ[αρεύοντες τὰ μὴ ὀφει]|λόμενα αὐτοῖς παραπράσσουσιν, καὶ συνβαίνει ο[ὐ τὰ τυχόντα ἡμᾶς ἐκ τ]|ούτου ἀδικεῖσθαι διασειομένους· περὶ ὧν ἀπά[ντων ἐγράφη πρὸς τὸ σόν,] | Σεβαστέ, μέγεθος, ὁπότε τὴν ἔπαρχον διεῖπε[ν ἐξουσίαν . . . . . . . . . .]||νος, καὶ ὅπως περὶ τούτων ἐκειν(ή)θη σοῦ ἡ θε[ιότης, ἡ ἀντιγραφὴ δηλοῖ ἡ ἐνταῦθα] | ἐντεταγμένη· Quae libello complexi estis *ut examinet praesidi mandavi,* | qui da(b)it operam ne d*iu*tiuis querell*is locus sit.* | Ἐπειδὴ οὖν οὐδὲν ὄφελο[ς ἡ]μεῖν ἐκ ταύτης τῆ[ς ἀντιγραφῆς ἐγένετο, συμβέ]|βηκεν δὲ ἡμᾶς κατὰ τὴν ἀγροικίαν τὰ μὴ ὀφει[λόμενα παραπράσσεσθαι, ἐ]||πενβαινό[ν]των τινῶν καὶ συμπατούντων ἡμᾶς [παρὰ τὸ δίκαιον, ἐπειδὴ δ]|ὲ ὑπὸ τῶν Καισαριανῶν οὐ τὰ τυχόντα δι[ασ]είεσ[θαι ἡμᾶς συνέβη καὶ τὰ ἡμέτερα | ἐξαναλί]σκεσθαι καὶ τὰ χωρία ἐρημοῦσθαι καὶ . . αν . . . . . . . . . . |. . . . . ς καὶ οὐ παρὰ τ[ὴν ὁ]δὸν κατοικούντ[ων . . . . . . . | . . . . . . . .] δυνάμενα . . . . ταυτι . . ει . . . . . . . .

From Aragua, a village on one of the imperial estates in Phrygia. The tenants in this community were too poor to send an embassy to the emperor, but the expenses of the delegation were borne by the *κοινόν*, apparently a union of the villages on the estate in a quasi-municipal organization. Aurelius Eclectus was probably *magister vici* of Aragua, who acts as spokesman for the community.

Didymus was the ambassador sent to Rome. The title *miugenerum* (l. 2) may stand for *mili(tem) (f)rum(entarium)*, although this interpretation is rejected by Dittenberger. The complaint of the Aragueni is similar to that of other villages in the third century (*cf.* nos. 113, 139, 142–144). They suffered from the exactions of soldiers and public officials, here especially the Caesariani (*cf. R.E. s.v.*), who demanded the services of the villagers and their oxen for transport duty (Rostowzew, *Klio*, 6 (1906), 249 *ff.*). The villagers had appealed once before to the emperors, and their complaint had been referred to the provincial governor with instructions to remedy the matter. Apparently the latter was powerless to curb the licence of the imperial officials and soldiery, or he may have connived at their exactions. At any rate, it may be observed that the bureaucratic officials and soldiery could not be effectively controlled at this period either by imperial mandates or by provincial governors. *Cf.* pp. 15 *ff.*; *J.H.S.* 17 (1897), 417 *ff.*; 18 (1898), 340 *ff.*; *Röm. Mitth.* 13 (1898), 231 *ff.*; Rostowzew, *Gesch. d. röm. Kol.* 303 *f.*; *Klio*, 6 (1906), 249 *ff.*; *Mus. Belge*, 27 (1923), 233 *ff.*

## 142. EPISTULA COLONORUM AD IMPERATORES

(ca. 200–250 p. Chr.)

Keil and Premerstein, *Denkschriften der Wiener Akademie*, 57 (1914–15), 37 *f.*

. . .ντας ἰδεῖν κατὰ δίοδον τὴν ω. . . . . . . . . .οι. . . . | . .ντος καὶ ἵνα δόξῃ τις τῆς τοιαύτης αὐτοῖς θ[ρα|σύτ]ητος ἀπολογία καταλιμπάνεσθαι, ἐνέα σ[υλ|λαβό]ντες καὶ ἐν δεσμοῖς ποιήσαντες ἔφασκ[ον || παραπ]έμπειν ἐπὶ τοὺς κρατίστους ἐπιτρόπο[υς | τοὺς ὑμ]ετέρους διέποντ(ο)ς Αἰλίου Ἀγλαοῦ [τοῦ | κρατίσ]του καὶ τὰ τῆς ἀνθυπατείας μέρη· κα[ὶ | τὸ]ν μὲν ἕνα τῶν ἐννέα ἀργύριον ἐκπρα|[ξ]άμενοι ὑπὲρ τὰς χειλίας Ἀττικὰς λύτρον || [τ]ῆς σωτηρίας ἀφῆκαν, τοὺς δὲ λοιποὺς κατ[έ]|σχαν ἐν τοῖς δεσμοῖς, καὶ οὐκ ἴσμεν σαφῶς, | θειότατοι τῶν αὐτοκρατόρων, ὁπότερον ζῶν|τας τούτους παραπέμψουσιν παρὰ τ(ὸ)ν κράτισ|τον Ἀγλαὸν ⟨ἢ⟩ καὶ αὐτοὺς διαθῶνται παραπλησί||ον τοῖς φθάνουσιν. Ἡμὲ[ῖ]ς οὖν, ὅπερ ἦν δυνατὸν | ἀθλίοις ἀν[θ]ρώποις ἀφηρημένοις καὶ βίου καὶ | συνγενῶν οὕτως ὠμῶς, ὃ δυνατὸν ἡμεῖν ἦν, ἐ|δηλώ-

*σαμεν ταῦτα καὶ τῶ τῆς τάξεως ἐπιτρό|πω ὑμῶν Αὐ[ρ(ηλίω)] Μαρκιανῶ καὶ τοῖς ἐν Ἀσία κρατ[ίσ]||τοις ἐπιτρόποις ὑμῶν· ἱκέται δὲ τῆς ὑμετέ|ρας γεινόμεθα, θειότατοι τῶν πώποτε αὐτοκρα|[τ]όρων, θείας καὶ ἀνυπερβλήτου βασιλείας, καὶ | [το]ῖς τῆς γεωργίας καμάτοις προσέχειν κεκωλυ|[μ]ένοι τῶν κολλητιώνων καὶ τῶν ἀντικαθεστώ||των ἀπειλούντων καὶ ἡμεῖν τοῖς καταλειπομέ|νοις τὸν περὶ ψυχῆς κίνδυνον καὶ μὴ δυνάμενοι⟨ς⟩ | ἐκ τοῦ κωλύεσθαι τὴν γῆν ἐργάζεσθαι μηδὲ ταῖς δε|[σ]ποτικαῖς ἐπακούειν ἀποφοραῖς καὶ ψήφοις πρὸς | [τ]ὰ ἑξῆς, καὶ δεόμεθα εὐμενῆ* (sic) *ὑμᾶς προσέσθαι τὴν || δέησιν ἡμῶν καὶ ἐπιθέσθαι τῶ ἐξηγουμένω τοῦ | ἔθνους καὶ τοῖς κρατίστοις ἐπιτρόποις ὑμῶν ἐκ|δικῆσαι τὸ τετολμημένον, κωλῦσαι δὲ τὴν εἰς τὰ | χωρία τὰ δεσποτικὰ ἔφοδον καὶ τὴν εἰς ἡμᾶς ἐν[ό]||χλησιν γεινομένην ὑπό (τ)ε τῶν κολλητιώνων || καὶ τῶν ἐπὶ προφάσει ἀρχῶν ἢ λειτουργιῶν τοὺς ὑ|μετέρους ἐνοχλούντων καὶ σκυλλόντων* (sic) *γεω[ρ]||γοὺς τῶ πάντα τὰ ἡμέτερα ἐκ προγόνων προυπε[ύ]||θυνα εἶναι τῶ ἱερωτάτω ταμείω τῶ τῆς γεωργί[ας] | δικαίω· τἀληθῆ γὰρ πρὸς τὴν ὑμετέραν θειότητα || ἤρηται* (sic). *(῾Ω)ν ἐὰν μὴ ὑπὸ τῆς ὑμετέρας οὐρανίου δε|ξιᾶς ἐκδικία τις ἐπὶ τοῖς τοσούτοις τετολμημέ|νοις ἐπαχθῆ καὶ βοήθια εἰς τὰ μέλλοντα, ἀνάγ|κη τοὺς καταλελειμμένους ἡμᾶς, μὴ φέροντας | τὴν τῶν κολλητιώνων καὶ τῶν ἐναντιας* (sic), *ἐφ' αἷς || προειρήκαμεν προφάσεσιν, πλεονεξίαν, κατα|λείπειν καὶ ἑστίας πατρώας καὶ τάφους προγονικο[ὺ]ς | μετελθεῖν τε εἰς ἰδιωτικὴν γῆν πρὸς τὸ διασωθῆναι— | φείδονται γὰρ μᾶλλον τῶν ἐκεῖ κατοικούντων οἱ τὸ[ν] | πονηρὸν ζῶντες βίον ἢ τῶν ὑμετέρων γεωργῶν— || φυγάδας ⟨τε⟩ γενέσθαι τῶν δεσποτικῶν χωρίων, ἐν οἷς | (κ)αὶ ἐγεννήθημεν καὶ ἐτράφημεν καὶ ἐκ προγόνων | διαμένοντες γεωργοὶ τὰς πίστεις τηροῦμεν τῶ | δεσποτικῶ λόγω.*

This inscription comes from the modern village, Aga Bey, in the province of Lydia. It contains the complaint of the villagers on an imperial estate protesting against the exactions of imperial officials and municipal magistrates. The first part of the petition is lost, but it is apparent that the immediate cause of complaint was the arrest of nine of the tenants by officers who claimed to be acting under the authority of the procurator. One of the nine had been released under a heavy ransom, but the fate of the remainder could

not be ascertained, and an appeal to Aurelius Marcianus had been ineffectual. The petitioners now set forth the fact that they had been tenants on the imperial estate on hereditary leasehold (ll. 38, 47, 51 *ff.*): that they were oppressed by *collationes* (*cf.* Garroni, *Accademia dei Lincei*, 25 (1916), 66 *ff.*) and by municipal magistrates who sought to compel them to perform liturgies and to hold office in the neighboring cities. Apparently residents of the cities had sought to escape their municipal obligations by taking up leases on the imperial estates (*cf.* Ramsay, *Studies in the History and Art o the Eastern Provinces*, 356 *ff.*; Rostowzew, *Gesch. d. röm. Kol.* 229, 398 *ff.*). Such tenants were exempt from municipal charges (*Dig.* 50. 6. 6, 11), but this method of evasion had become so common in the fourth century that Constantine issued an edict forbidding *curiales* the right to hold leases on imperial estates except under very strict regulation (*Cod. Th.* 12. 1. 33). The petitioners also threaten to abandon the imperial leaseholds and to take refuge on private estates, where, they claim, the villainous officials do less harm. This document is most important as it reveals the flight from the cities; the oppression of officials even on tenants of the imperial estates; and, finally, the power of patronage exerted by great landowners at this time, who were able to protect their tenants where the emperor could not. *Cf.* pp. 214 *f.*, nos. 113, 139, 141, 143, 144; *Zeitschr. der Savigny-Stift., Roman. Abtheil.* 36 (1915), 157 *ff.* The editors of this document are inclined to limit its date between A.D. 198–222.

## 143. EPISTULA VICANORUM AD IMPERATORES

(ca. 200–250 p. Chr.)

Keil and Premerstein, *Denkschriften der Wiener Akademie*, 57 (1914), 25.

. . . .[τη]ν προαίρεσιν αὐτῶν λογιζομένων ν[ομοθε|σίαν (?)] μήτε νομίμου κατηγόρου τινὸς ἐξιστ[αμέ|νου, μ]ήτε ὑποκειμένης αἰτίας, μηδὲ φανεροῦ τι[νος ἐγ|κλήματ]ος ἰδίου τινὸς ὄντος, ἐπιτρέχουσιν οἱ τοιοῦτοι μόν[οι ἢ μετὰ τῶν (?) || σεσημ]ειομένων τάξεων ἰς διασεισμὸν τῆς κώμης· μόνη[ν ἐν φ]όβω τῶ[δε ταύ|την βο]ήθιαν ἐπενόησεν ἡ προδηλουμένη κώμη συν[δε|ηθεῖ]σα δι' ἐμοῦ τῆς μεγάλης ὑμῶν καὶ οὐρανίου κα[ὶ ἱερω|τάτη]ς βασιλείας, ἰς τοῦτό με προχειρισαμένη καὶ τὴ[ν ἱκε|τεία]ν προσενενκεῖν. Καὶ τοῦτο δεόμεθ' ἀπιδόντας ὑμ[ᾶς, μέ||γιστ]οι καὶ θειότατοι τῶν πώποτε αὐτοκρατόρων, πρός τε τοὺ[ς | ὑμετέ]ρους νόμους τῶν τε προγόνων ὑμῶν καὶ πρὸς τὴν εἰρηνικὴ[ν | ὑμῶ]ν περὶ πάντας δικαιοσύνην, μεισήσαντας δέ, οὓς ἀεὶ με[ι|σήσ]ατε αὐτοί τε καὶ πᾶν τὸ τῆς βασιλείας προγονικὸν ὑμ[ῶν | γένο]ς, τοὺς τὴν τοιαύτην προαίρεσιν ἔχοντας κολλητίωνα[ς, κε||κωλ]υμένους μὲν ἀεὶ καὶ κολάζεσθαι κελευομένους, οὐ[κ ἀπο|δεξα]μένους δέ, ἀλλὰ ἀεὶ βαρύτερον ἀντιμαχομένου[ς | ταῖ]ς ὑμετέραις νομοθεσίαις, εἴτε φρουμενταρίοις προμ[ε|μήνυν]το, εἴτε ὁμοίαις τάξεσιν, κελεῦσαι καὶ χρηματίσαι νόμω τι[νί, | ὡς τὴν ἀν]αίδιαν αὐτῶν αὐτοῖς ⟨ἡ⟩ ἡγεμονεία προσάγει· εἰ δέ τις, ἔξω τῶ[ν || τοι]ούτων λέγων εἶναι, προφάσει κατηγορίας τινὸς ἐπὶ (ἐ)σκ[εμ|μένη]ν τὴν κακουργίαν ἐπιτρέχοι, μὴ διὰ τῆς ἡγεμονίας, ἀ[λλὰ | διὰ τῶν] τάξεων βασανίζων, ὡς οἱ νόμοι θέλουσιν ὑμῶν τ[ε καὶ | τῶν προγόνων εἰ μὴ νόμιμος κατήγορος, μὴ προσέ[ρχων|ται πρὸς τοῦτο αἱ] τῆς τάξεως ἐξουσίαι καὶ........

This inscription comes from Mendechora (Πέντε χωρία) in Lydia. The editors (*loc. cit.*) believe that this village lay within the *territorium* of, and belonged to, the ancient city of Philadelphia. It is also possible that the village may have become part of an imperial estate before the petition was forwarded to the emperor, since there is no reference to the city officials, and the appeal appears to have been presented by someone designated by the village (*cf.* Rostovtseff, *Mus. Belge*, 27 (1923), 233 *ff.*). As in similar documents of this period the villagers protest against the exactions of officials; the *collationes* (*cf.* no. 142), the *frumentarii*, and similar agents (ὁμοίαις τάξεσιν). The villagers complain especially of illegal arrests by officials, apparently, without lodging any formal accusation (*cf.* no. 142). Such arrests were contrary to the law (*Dig.* 48. 18. 22), but the village-authorities were powerless. On the interpretation of the legal principles involved *cf.* Keil and Premerstein, *loc. cit.*; Weiss, *Zeitschr. der Savigny-Stift.*, *Roman. Abteil.* 36 (1915), 157 *ff.*; Garroni, *Accademia dei Lincei*, 25 (1916), 66 *ff.*; Rostovtseff, *Jour. Rom. Studies*, 8 (1918), 26 *ff.*; *cf.* nos. 113, 139, 141–144.

## 144. QUERELLAE VICANORUM

(ca. 200–250 p. Chr.)

Keil and Premerstein, *Denkschriften der Wiener Akademie*, 57 (1914–15), 11.

(*Versus* 1–9, 26 *seqq.*, *maxime mutili*, *omissi sunt.*)

εἰωθότω[ν] ταῖς [. . . . . . . . . . . . . . . . ? στατιωνα]||ρίων [κ(αὶ)] φρουμε[νταρίω]ν ων . . . . . φ . . | σιν αν . . . . . . . . . . . . . | νοι . . . . . . . . . | τ . . . . . . . . . . . . . . . . . νχα . . . . || [ταῖς κ]ώμαις ἐπισείοντες ἐνε . . . . . | ἀγαθοῦ μὲν οὐδενὸς γεινόμενοι αἴτι|οι, ἀνυποίστοις δὲ φορτίοις κ(αὶ) ζημιώμα|σιν ἐνσείοντες τὴν κώμην, ὡς συμβαί|νειν ἐξαναλουμένην αὐτὴν εἰς τὰ ἄμε||τρα δαπανήματα τῶν ἐπι[δη]μούντων | κ(αὶ) ε[ἰς τ]ὸ πλῆθος τῶν κολλητιώνων ἀ|πο[στειρεῖσθ(?)]α[ι] μὲν λουτροῦ δι' ἀπορίαν, | ἀποστειρεῖσ[θ]ε [δὲ κ(αὶ)] τῶν πρὸς τὸν βί|ον ἀ[ν]ανκέ[ω]ν ἀ[π]α[γ]ο[ρ]ευε . . ε . . πρὸς || τὰς . . . . . . . . . εκ . . . . . . ουμεν . . . | κατοίκων.

This fragmentary inscription was found in the modern village of Ekiskuju in Asia Minor. As in nos. 113, 142–143, the villagers are harassed by the exactions of officials, the *stationarii*, *frumentarii*, and others. Unbearable fines and burdens are imposed upon them, and the villagers have been ruined by the cost of entertaining officials and by *collationes*. The document seems to record the reply of the governor to the petition of the residents. The editors suggest that Aurelius Marinus, whose name appears in the first line of the inscription, is the provincial governor. For similar complaints, *cf.* nos. 113, 139, 141–143.

## 145. EPISTULA IMPERATORUM TRAIANI DECI ET HERENNI ETRUSCI AD APHRODISIENSES

(251 p. Chr.)

Le Bas-Waddington, 3, 1624; *CIG*. 2743.

Αὐτοκράτωρ Καῖσαρ [Γάϊος Μέσσιος Κύϊντος Τραϊανὸς | Δέκιος], Εὐσεβής, Εὐτυχής, Σεβαστός, δημαρχικῆς | ἐξουσίας τὸ γ', ὕπατος τὸ β', ἀποδεδειγμένος τὸ τρίτον, | πατὴρ πατρίδος, ἀνθύπατος, καὶ [Ἑρέννιος Τραϊανὸς || Δέκιος Καῖσαρ], ἀρχιερεὺς μέγιστος, δημαρχικῆς ἐξουσίας | τὸ πρῶτον, ὕπατος ἀποδεδειγμένος, Ἀφροδεισιέων τοῖς | ἄρχουσιν καὶ τῆι βουλῆι καὶ τῶι δήμωι χαίρειν. | Εἰκὸς ἦν ὑμᾶς καὶ διὰ τὴν ἐπώνυμον τῆς πόλεως θεὸν καὶ | διὰ τὴν πρὸς Ῥωμαίους οἰκειότητά τε καὶ πίστιν ἡσθῆναι || μὲν ἐπὶ τῆι καταστάσει τῆς βασιλείας τῆς ἡμετέρας, | θυσίας δὲ καὶ εὐχὰς ἀποδοῦναι δικαίας. Καὶ ἡμεῖς δὲ | τήν τε ἐλευθερίαν ὑμεῖν φυλάττομεν τὴν ὑπάρχουσαν | καὶ τὰ ἄλλα δὲ σύνπαντα δίκαια, ὁπόσων παρὰ τῶν πρὸ ἡ|μῶν αὐτοκρατόρων τετυχήκατε, συναύξειν ἑτοίμως || ἔχοντες ὑμῶν καὶ τὰς πρὸς τὸ μέλλον ἐλπίδας. | Ἐπρέσβευον Αὐρήλιοι Θεόδωρος καὶ Ὀνήσιμος. | Εὐτυχεῖτε.

From Aphrodisias in Caria. The names of the emperors, erased in antiquity, were restored by Boeckh as those of Diocletian and Maximian. The difficulties of this restoration were pointed out by Waddington, and we have followed the text which he adopted. The title of *pontifex maximus*, ascribed to the son instead of the father, is undoubtedly an error on the part of the stonecutter. Aphrodisias is recorded as a free city by Pliny (*N.H.* 5. 29), and retained this privilege as late as the reign of Gordian (Waddington, note *ad loc.*). Reinach corrects the readings of Waddington (*Rev. d. ét. grec.* 19 (1906), 82). *Cf.* nos. 137, 138, 153.

## 146. DECRETUM DECURIONUM ET POSSESSORUM

(256 vel fortasse 186 p. Chr.)

*An. ép.* 1903, no. 202; *cf. ibid.* 1894, no. 61.

. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . *M.*' Acilio Glabrione II cos. . .pr(idie). . . Ianuari*as* (?). . .*in civitate*. . .*in curia cum conventus haberetur decurionum* et possessorum civium ibi Victor Gallitios(i) f. et Honor*atus* | . . .*f(ilius) sufetes verba fecerunt: cum audivissemus L. Titium et C. Sei*um questos quod agri suorum pecoribus ovium devas|*tarentur et in re praesenti constitisset et agros vastatos et arbores magnam par*tem conrosas esse quod ipsum initium honoris nostri | *instabat dominis pecorum ut servos iniuria prohibeant denuntiavimus*. . . .i. . .sit facta etiam mentione sacrarum litterarum || . . .*illi responderunt servos sua sponte iniuriam fecisse*. . . on. . .*n*ostramque den*u*ntiationem initium honoris | *nostri antecessisse*. . .*cum*. . .t ne. .eat eis contu. . .rum prodesse et aliter ea res | . . .*et contra talem iniuriam iam pri*. . .ss. . .undum sacras co. . .ones actum fuerit quae | . . .*rem vestro decre*to *s*ubiciendam existimavi*m*us. | *Exemplum epistulae datae ab imp. . . .ad. .*cum mihi desiderium vestrum videtur et exemplo adiuva||*ri anteriorum legum. . .et per se iustum esse. Itaque veto quemquam in agru*m vestrum invitis vobis pecora pascendi gratia indu|*cere. . .*re quod si ignorante domino servus induxe*rit* pecora | . . .*in ip*sum servum procos. severe constituet si iusso domini | . . . .*induxerit non solum servum ipsum sed e*tiam praetium servi ex form*a* censoria 𐆖 d. dominus| . . . .*praestare debebit. Servi si sciente quidem domino sed* *s*ua sponte id admiserint a procos. flectentur ita ut in ||*posterum nemo audeat*. . .elegentur. . .quit fieri placeret de ea re universi cen|*suere* . . .passim in territorio uniuscuiu*scum*que pecora pascendi | . . .iniu et *c*um etiam post ea *const*itu*ti*one. . .nu. . . .

Fragment found at Henchir-Snobbeur. The inscription has been restored and interpreted by Schulten, *Festschrift zu Hirschfeld*, 171 *ff.* It belongs perhaps to the year A.D. 256, when M.' Acilius Glabrio was consul. The use of *cognomina* in place of *nomina* in the names of the two magistrates, and the peregrine patronymic of Victor, show that the place was a peregrine *civitas.* Its magistrates would therefore be *sufetes.* It would appear that the flocks of certain residents of this village have been driven on the land of other citizens, and that the aggrieved citizens have laid the case before the local magistrates, who have forbidden further trespass. But the trespassers have persisted. In these circumstances the magistrates call a meeting of the decurions and *possessores* (l. 2). No parallel to such a meeting is known. The stone records the result. The *relatio* of the magistrates begins with *ibi*, and is given in the first person plural. It includes an imperial rescript beginning with *mihi desiderium* and ending with *ita ut. . .audeat.* The decree of the decurions, of which only a few words are left, begins with *quit fieri.* The ordinary price of a slave in Italy was 2500 denarii; *cf.* Kübler, *Festschrift f. Vahlen*, 561. The proconsul referred to is the proconsul of Africa Proconsularis, in whose territory the village lay. Our interest in the document lies in the fact that we find local magistrates, in settling a local legal question, applying a principle laid down in an imperial constitution drawn up for the guidance of a proconsul in a similar situation.

## 147. EDICTUM IMPERATORUM VALERIANI ET GALLIENI

(253–259 p. Chr.)

Le Bas-Waddington, 3, 2720*a*; Ditt. *Or. Gr.* 262; *CIG.* 4474.

Imp. Caesar | Publius Licin|nius Valerianus | Pius Felix Aug. I et imp. || Caesar Publius Licinius | Gallienus Pius Fel(ix) Aug. et Licin|nius Cornelius Saloninus | Valerianus nobilissimus Caesar | Aurelio Mareae *e*t aliis: || Regum antiqua beneficia consuetu|dine etiam insecuti temporis adpro|bata is qui provinciam regit remota | violentia part*i*s adversae incolumia | vobis manere curabit.

Ἐπιστολὴ Ἀντιόχου βασιλέως. | II

Βασιλεὺς Ἀντίοχος Εὐφήμωι χαίρειν. Ἐδόθη ὁ κατακεχωρισ|μένος ὑπομνηματισμός· γενέσθω οὖν καθότι δεδήλωται περὶ ὧν δεῖ διὰ σοῦ | συντελεσθῆναι. Προσενεχθέντος μοι περὶ τῆς ἐνεργείας θεοῦ Διὸς Βαιτοκαίκης || ἐκρίθη συνχωρηθῆναι αὐτῶι εἰς ἅπαντα τὸν χρόνον, ὅθεν καὶ ἡ δύναμις τοῦ | θεοῦ κατάρχεται, κώμην τὴν Βαιτοκαι[κη]νήν, ἣν πρότερον ἔσχεν Δημήτριος | Δημητρίου τοῦ Μνασαίου ἐντουρίωνα τῆς περὶ Ἀπάμιαν σατραπείας, σὺν τοῖς | συνκυροῦσι καὶ καθήκουσι πᾶσι κατὰ τοὺς προϋπάρχοντας περιορισμοὺς | καὶ σὺν τοῖς τοῦ ἐνεστῶτος ἔτους γενήμασιν, ὅπως ἡ ἀπὸ ταύτης πρόσοδος || ἀναλίσκηται εἰς τὰς κατὰ μῆνας συντελουμένας θυσίας καὶ τἄλλα τὰ πρὸς αὔξησ|ιν τοῦ ἱεροῦ συντείνοντα ὑπὸ τοῦ καθισταμένου ὑπὸ τοῦ θεοῦ ἱερέως, ὡς εἴ|θισται· ἄγωνται δὲ καὶ κατὰ μῆνα πανηγύρεις ἀτελεῖς τῆι πεντεκαιδεκάτηι καὶ | τριακάδι· καὶ εἶναι τὸ μὲν ἱερὸν ἄσυλον, τὴν δὲ κώμην ἀνεπίσ[ταθ]μον μηδεμιᾶς | ἀπορρήσεως προσενεχθείσης, τὸν δὲ ἐναντιωθησόμενόν τισι τῶν προγε||γραμμένων ἔνοχον εἶναι ἀσεβείαι. Ἀναγραφῆναί τε καὶ τὰ ἀντίγραφα ἐν | στήληι λιθίνηι καὶ τεθῆναι ἐν τῶι αὐτῶι ἱερῶι. Δεήσει οὖν γραφῆναι οἷς εἴ|θισται, ἵνα γένηται ἀκολούθως τοῖς δηλουμένοις. |

Ψήφισμα τῆς πόλεως πεμφθὲν θεῶι Αὐγούστωι. | III

Ἐπάνανκες δὲ ἀνέρχεσθαι πάντα τὰ ὤνεια διὰ τῶν ἐνταῦθα καὶ ἐπὶ χώρας | ἀγορητῶν πραθησόμενα καθ᾽ ἑ[κ]άστην ἱερομηνίαν πρὸς τὸ ἀδιάλε(ι)π[τα] ὑπάρχιν | πᾶσι τοῖς ἀνιοῦσει προσκυνηταῖς, ἐπιμελομένου τοῦ τῆς πόλεως ἀγο||ρητοῦ μηδὲ ἐπιχειροῦντος ἢ ὀχλοῦντος προφάσει παροχῆς καὶ τέλους | καὶ ἐπηρείας τινος ἢ ἀπαιτήσαιως· ἀνδράποδα δὲ καὶ τετράποδα | καὶ

*λοιπὰ ζῶα ὁμοίως πωλείσθω ἐν τῶι τόπωι χωρὶς τέλους ἢ ἐπη|ρείας τινος ἢ ἀπαιτήσαιως. Οἱ κάτοχοι ἁγίου οὐρανίου Διὸς τῆς ὑπὸ τῶν Σε|βάστων εἴς τε τὸν θεὸν εὐσεβείας καὶ τὸν τόπον ἐλευθε||ρε[ί]ας τὴν θείαν ἀντιγραφὴν ὑπὸ πάντων προσκυνουμένην προέταξαν.*

This inscription, from Baetocaece in Syria, is of interest because of the regard for tradition shown by the Roman emperors even in the third century. King Antiochus had assigned the village to the temple of Zeus with the privilege of holding regular markets where the traders were not subject to the regular taxes imposed on the sale of goods, and the villagers were exempted from the obligation to provide hospitality (*hospitium*) for soldiers or officials. In later times the village was part of a municipal *territorium* (possibly belonging to Apamea), but it still enjoyed its old privileges of immunity. These were in danger of being lost, and the city appealed on behalf of the village to the emperors who confirmed the grant made by Antiochus hundreds of years before. *Cf.* Ditt. *Or. Gr.* 483.

## 148. EPISTULA PROCONSULIS ASIAE DE NUNDINIIS CONSTITUENDIS

(260–270 p. Chr.)

Cagnat, *IGRR.* 4, 1381, ll. 1–17.

. . . . . . . ος Μαξιμιλλιανὸς [*ἀνθ*]*ύπατος* | [*τῆς* Ἀσίας] Δο*μ*-*νί*[*ν*]*ωι* Ῥούφωι *ὑῶι* Ἀσιά[*ρχο*]*υ* [*εὐε*]*ρ*[*γ*]*έτου* | *καὶ* Ἀσιάρχ*ηι χα*[*ίρειν.* | Τῆι *σ*]*ῆι πρὸς τοὺς θεούς, ο*[*ὓ*]*ς ἱδρῦσθαί φης* [*ἐν* || *τῆι* Τ]*ετραπυ*[*ρ*]*γίαι,* [*θρη*]*σκείαι* [*καὶ τ*]*ῆι το*[*ῦ γ*]*ένους ἐνδόξ*|*ου λαμπρότη*[*τ*]*ι καὶ τῆι σ*[*ῆι μ*]*ετὰ τῆς εὐγεν*|*εί*[*α*]*ς τῶν τρό*[*π*]*ων κοσμι*[*ό*]*τητι π*[*αν*]*τὶ ἡγοῦ*|*μαι δῆλον ὡς τ*[*ειμ*]*ᾶσθε δίκαιος ὑπ*[*άρ*]*χεις* . . . . | . . *τω γοῦν τοῖς τῆς ἀγοραίου ἀπο*[*ρο*]*ῦσιν* [*βοηθεῖν* . || . . . . . . . . Τ]*ετραπυργί*[*α δ*]*ιὰ τὴν ε*[*ἴς*] *σε τον . αμεα* . . . . | . . . . *τα τειμὴν ἀγέτω τ*[*ὴν*] *ἀγορα*[*ῖο*]*ν* | [*ἑκάσ*]*τηι πεν*[*τ*]*εκαιδεκά*[*τηι*] *ὁ τῶν* . . . | . . . . [Τετρα]*πυργειτ*[*ῶ*]*ν δῆμος* . . . *αιστα, μ*[*η*]*δεμιᾶς* [*τῶν* | *πόλεων*] *τῶν κατ*[*ὰ*] *τὴν* Μαιο[*νί*]*αν φθ*[*αν*]*ουσῶν* . . . . . || . . . . [*ἐν τ*]*αύτηι τῆι ἡμέραι ἀγο*[*ρα*]*ῖον ἀγούση*[*ς, καὶ γειν*|*ήσεται τ*]*οῦτο καθ' ἕκαστον* [*μῆ*]*να ἀν*[*επι*]*κωλύτως.* | Ἔ[*ρρ*]*ωσο.* |

(We have omitted parts *b* and *c* of the document as published by Cagnat.)

From Koula in Lydia. From this inscription we learn that a city or village must make application to the governor of the province for the privilege of establishing a market-fair in its district. *Cf.* Besnier, *Dict. Dar.* IV, p. 122; nos. 96, 147.

### 149. DECRETUM XV VIRUM DE SACRIS FACIUNDIS

(289 p. Chr.)

*CIL.* x, 3698; Dessau, 4175; Bruns, 75; Riccobono, p. 262.

M. Magrio Basso, L. Ragonio | Quintiano cos., k. Iunis, | Cumis in templo divi Vespa|siani, in ordine decurionum, || quem M. Mallonius Undanus | et Q. Claudius Acilianus praet. | coegerant, scribundo sorte | ducti adfuerunt Caelius Pan|nychus, Curtius Votivos, Considi||us Felicianus, referentibus pr. | de sacerdote faciendo Matris | deae Baianae in locum Restituti | sacerdotis defuncti, placuit uni|versis Licinium Secundum || sacerdotem fieri. | —XV viri sac(ris) fac(iundis) pr(aetoribus) | et magistratibus Cuman. sal. | Cum ex epistula vestra cognove|rimus creasse vos sacerdotem || Matris deum Licinium Secundum | in locum Claudi Restituti defunc|*ti*, secundum voluntatem vestra (*sic*) | permisimus ei occavo et | corona, dumtaxat intra || fines coloniae vestrae, uti. | Optamus vos bene valere. | Pontius Gavius Maximus | promagistro suscripsi XVI kal. | Septembres, M. Umbrio Primo, || T. Fl. Coeliano cos.

Stone found near Baiae in 1785. It contains a decree of the decurions of Cumae announcing the election of a new *sacerdos Matris deae* to fill a vacancy and a letter of the *quindecimviri sacris faciundis* of Rome confirming the election. The interest of the inscription for us lies in the fact that, with the rapid extension of the cult of Magna Mater in the period following the Antonines, and with the admission of Roman citizens to its priesthood (*cf.* Wissowa, *Religion u. Kultus d. Römer*, 265 *ff.*), the chapters in the cities were brought under the control of the *xv viri* of the city of Rome. Cf. also *CIL.* x, 3699, *ex s. c. dendrophori creati qui sunt sub cura xv virorum, s. f.*

### 150. TITULUS HONORARIUS

(saec. III p. Chr.)

Keil and Premerstein, *Denkschriften der Wiener Akademie*, 57 (1914), 87.

Ἀγαθῆι Τύχηι. | Ἐπὶ πρυτάνεως Λ. Σεπτ(ιμίου) Αὐρ(ηλίου) | Ἀχιλλείδη νε(ωτέρου) μη(νὸς) ε´ Αὐρ(ήλιος) Ἑρμόλαος | Ῥουστίκου ἔδωκεν ὑπὲρ ἀρχῆς || λογιστείας καθὼς ἔδοξε τοῖς | κωμήταις (δηνάρια) διακόσια πεντή|κοντα προσχωρήσαντα εἰς τὴν τῶν τειρώνων συντέλειαν.

This inscription from Lydia is important for the study of village administration and for the history of recruiting in the third century. The sum of two hundred and fifty denarii was exacted as an initiation fee for the office of λογιστής and, by a decree of the villagers, the whole amount was devoted to the payment of the *aurum tironicum* in the village. For the history of this tax, *cf.* Mitteis, *P. Leipzig*, 54 (*cf. ibid.* no. 35); *P. Oxy.* 1103, and Rostovtseff *Jour. Rom. Studies*, 8 (1918), 26 *ff.*

### 151. EPISTULA IMPERATORUM INCERTORUM DE CONSTITUTIONE CIVITATIS TYMANDENORUM

(saec. III p. Chr.)

*CIL.* III, *S.* 6866; Dessau, 6090; Bruns, 34; Riccobono, p. 338.

....ovi penitus.....|......Tymandenis item | ....ad scientiam nostram | .....tua pertulit, contemplati sumus || *Tymandenos* voto praecipuo, summo etiam | studio optare, ut ius et dignitatem civita|tis praecepto nostro consequantur, Lepide | carissime. Cum itaque ingenitum nobis | sit, ut per universum orbem nostrum civi||tatum honor ac numerus augeatur eos|que eximie *c*upere videamus, ut civitatis | nomen honestatemque percipiant, isdem | maxime pollicentibus quod apud se decu|rionum sufficiens futura sit copia, cre||didimus adnuendum. Quare volumus, | ut eosdem Tymandenos hortari cu|res, ut voti sui conpotes redditi<s> | cum ceteris civitatibus nostris ea que | ipsos consecutos ius civitatis conpe||tit recognoscere, obsequio suo nitan|tur inplere. Ut autem sic uti ceteris | civitatibus ius est coeund*i* *i*n curiam, | faciendi etiam decreti et gerend*i* ce|tera que iure permissa sunt, ipsa quo||que permissu nostro agere possit, et | magistratus ei itemque aediles, quaes-| tores quoque et si qua alia necessaria | facienda sunt, creare debebunt. Quem | ordinem agendarum rerum perpetuo || pro civitatis merito 30 custodiri conve|niet. Numerum autem decurionum | interim quinquaginta hominum in|stituere debebis. Deorum autem in|mortalium favor tribuet, ut auctis || *e*orum viribus adque numero mai*or* *e*|orum 35 haberi copia possit.

This inscription was found by Sterrett (*cf. Papers of the Am. School of Class. Studies at Athens*, 3 (1884–1885), p. 384, no. 558) on the site of Tymandus in Pisidia. The names of the emperors at the beginning are lacking, but the script seems to belong to the close of the third or the early part of the fourth century. The words *deorum immortalium* (ll. 33 *f.*) seem to fix the date before Constantine. As in no. 154 the reply to the petition is addressed to an official. Whether Lepidus (l. 7) was governor of Pisidia, *vicarius* of Asia, or *praef. praet. Or.* (Mommsen, *Ges. Schr.* 5, 550), we cannot say. Like the people of Orcistus the Tymandeni ask for the *ius et dignitas civitatis* (ll. 6 *f.*; *cf.* 11 *f.*). The granting of their request carries with it the privilege of establishing a *curia*, passing *decreta*, and the election of duovirs, aediles, and quaestors (ll. 22 *ff.*). A normal municipal senate comprised one hundred members, but we find instances of smaller and larger numbers (*cf.* no. 136). The emperors plan to increase the number of members as Tymandus grows (ll. 34 *ff.*). The statement *isdem maxime pollicentibus, quod apud se decurionum sufficiens futura sit copia* (ll. 12 *ff.*) is a significant reference to the comparatively large fortune required for a decurionship, and perhaps to the entrance fee exacted in many cities (*cf.* pp. 142 *f.*). It would be interesting to know whether the imperial writers have in mind also the responsibility of the *curiales* for the taxes due to the central government. The fact that Tymandus wished to have a *curia* would seem to show that membership in it was still prized; *cf.* pp. 113 *ff.*

## 152. RESCRIPTUM DE OFFICIALIUM EXACTIONIBUS INLICITIS

(saec. III p. Chr.)

*CIL.* VIII, *S.* 17639.

....et onerari se inlici*tis*...|*militu*m atq(ue) oficialium exa|*ctionibus ratione habita d*ecreti concili, quod su*s*ci|*tavit has querelas* cum magno animi mei || *dolore audivi*; temporum illorum quorum |... fuit ad nunc quis aequo animo | *ferat e*xactionibus inlicitis quibus | *i*mponunt fortunis alienis immi|*nere ruina*m exauriant compendis su||*is*....uam populi vel fisci debiti | *rec*iproce requi*e*s non et mi|*lites* parentium ac liberorum | *sum*ma excipit oficiales munifi|*centia*...*n*e quasi quodam more consti||*tuto pu*blici vectigalis paterentur | *n*e posthac admittant | *aut poenae iis p*ro delicti qualitate in|*rogentur*...s de qua re et pro(curatoribus) meis | *litteras misi et rescriptum meum etiam pro*vincialibus innotescere vo||*lui*....ciant L. Apronius Pius leg. Aug.....

*Benevol*entia eius circa provinciam suam hic.

An inscription painted in red letters on a stone tablet found at Aïn Zui in the ancient province of Numidia. The left edge of the stone is broken off. Probably the last line begins the second part of the inscription which was continued on another stone. The uncertainty of some of the restorations made by Mommsen leaves us in doubt of the exact meaning at various points, but the main purpose of the emperor is plain. The document is an imperial rescript or edict from about the middle of the third century. The emperor intervenes to put a stop to the unlawful exactions made from the provincials by imperial officials and soldiers. Since his efforts to this end have been ineffective in the past, he does not content himself with giving instructions to his procurators, but he causes this rescript to be published (l. 19) in Numidia, probably by the legate L. Apronius Pius (l. 20), of whom we hear in other inscriptions (*cf. E.E.* 5, 669; 7, 793; 7, 395 = Dessau, 1196; *CIL.* VIII, 8782).

## 153. TITULUS OPERIS PUBLICI

(ca. 312 p. Chr.)

*CIL.* VIII, 210 = VIII, *S.* 11299.

(*a*)

Coloniae Cillitanae |

Q. Manlius Felix C. filius Papiria receptus post alia arcum quoque cum insignibus colo*niae* | solita in patriam libertate erexit ob cuius dedicationem decurionibus sportulas curiis epu*las ded.*

(*b*)

Clementia temporis et virtute | divina D*D*. N*N*. Constantini *et Licini* inuc (*sic*) | semp. Aug. ornamenta *liberta.* restituta et vetera civi|tatis insignia curante Ceionio Aproniano c. v. || patro. civitatis.

Two inscriptions found on an arch at colonia Flavia Cillium or colonia Cillitana. Inscription (*b*) is in smaller letters and of a later date than (*a*). The arch was probably thrown down when Maxentius invaded Africa in 311 and was restored after the victory of Constantine and Licinius in 312. In l. 2 of (*b*) *D.N.* and *et Licini*, according to Mommsen, were originally on the stone, erased in consequence of the quarrel between Constantine and Licinius, and restored later. *Ornamenta liberta*(*tis*) *restituta* would naturally imply that the town was restored to the status of a *civitas libera*. *Cf.*, however, Henze, *De civitatibus liberis*, 80 *f.*

## 154. EPISTULA ABLABI PRAEFECTI PRAETORIO ET CONSTANTINI IMPERATORIS DE IURE CIVITATIS ORCISTANORUM

(323–326; 331 p. Chr.)

*CIL.* III, *S.* 7000; Dessau, 6091; Bruns, 35; Riccobono, p. 341.

*Ut alia* sic haec quae in precem con*tulistis et nominis* | et dignitatis reparationem iure quae*runt obtine*|re. Proinde vicari intercessione qua*e fuerant mut*|ilata ad integrum pris*c*i honoris *reduxit imp*(*erator*) *super omnes re*||*tro* pius, ut et vos oppidumque dilig*entia vestra tui*|*t*um expetito legum adque appellationis s*plendore iure decreti* | perfruamini infrascribti. | Col. I

Have Ablabi carissime nobis. | Incole Orcisti, iam nu*n*c oppidi et || civitatis, iucundam munificien|tiae nostrae materiem praebue|runt, Ablabi carissime et iucundissi|me. Quibus enim studium est urbes vel no|vas condere vel longaevas erudire vel in||termortuas reparare, id quod petebatur acce|ptissimum fuit. Adseruerunt enim vicum suum | spatiis prioris aetatis oppidi splendore floru|isse, ut et annuis magistrat*u*um fascibus orna|retur essetque curialibus celebre et populo || civium plenum. Ita enim ei situ adque ingenio | locus opportunus esse perhibetur, ut ex qu|attuor partibus *eo* totidem in sese congruant | viae, quibus omnibus *p*ublicis mansio *ea* me*di*|alis adque accommoda esse dicatur. Aquaru*m* || ibi abundantem aflu*e*ntiam, labacra quoqu*e* | publica privata*que* eorum, istatuis veterum | principum ornata, *et p*opulum comm*a*nentium | adeo celebre*m*. . . . . . . ali ibidem sunt, | *fa*cile compleantur pr*ovi*sa ex decursibus || praeterfluentium *aq*uarum, . . . . . . . . |rum numerum copiosum. Quibus cum omni|bus memoratus locus abundare dicatur, c*on*|*t*igisse adseruerunt, ut eos Nacolenses si*bi* | *a*dnecti ante id temporis postularent. Quo*d* || *es*t indignum temporibus nostris, ut tam o*p*|*p*ortunus locus civitatis nomen amittat, | et inutile commanentibus, ut depraeda|*t*ione potiorum omnia sua commoda utilit*a*|tesque deperdant. Quibus omnibus quas*i* || quidam cumulus accedit, quod omnes | *i*bidem sectatores sanctissimae religi|onis habitare dicantur. Qui cum praeca|rentur, ut sibi ius antiquum nomenque | civitatis concederet nostra clementia, || sicuti adno*ta*tioni*s* no*str*ae s*ubiecta* | cum precibus exem*p*la *t*estantur, huiusmo|di sententiam dedimus. Nam haec quae in pre|*ce*m contulerunt, et nominis et dignitatis | reparationem iure quae|runt obtinere. Proind*e* *gra*|vitatis tuae interces*sione* | quae fuerant mu*tilata* || ad integrum pris*c*i *honoris* | *re*duci sancimus, ut et ipsi | *o*ppidumque diligen*tia sua* | *t*uitum expetito legum *ad*|*q*ue appellationis splen||dore perfruantur. Par es*t* | *ig*itur sinceritatem tuam | *q*uod promptissime pro tempo|*ri*s nostri dignitate conces*si*|*m*us, erga supplicantes fes||*ti*nanter implere. Vale, Abla*bi*, | *ca*rissime et iucundissime nobis. |

Exemplum Precum. |

*A*d auxilium pietatis vestrae | *con*fugimus, domini impp. Constantine || *Max*ime victor semper Aug. et Crispe, | *Cons*tantine et Constanti nobb. Cae*s*. |

*Patri*a nostra Orcistos vetust*is*|*simum* oppidum fuit et ex antiquiss*i*|*m*is temporibus, ab origine etia*m*||*ci*vitatis dignitatem obtinuit. | *Id* in medio confinio Galatiae p*erbe*|*n*ae situm est. Nam quattuor via*rum* | *tr*ansitus ex*h*ibet: id est civita*tis* | *P*essinuntesium, quae civita*s* *dis*||*tat* a patria nostra tricensim*o* *fe*|*re* *l*apide; nec non etiam civitat*is* *Mi*|*d*aitanorum, quae et ipsa est a *patria* | nostra in tricensimo miliario; *et civi*|*t*atis Amorianorum, quae posita . . . (*reliqua desiderantur*).

*A*ct. prid. | kal. Iulias | *C*onstantinopoli. | Col. III

*I*mp. Caes. Constantinus || maximus Guth. victor ac trium|*f*ator Aug. et Fl. Cla. Constantinus | Alaman. et F*l*. *I*ul. Constantius nnbb. | *C*aess. salutem dicunt | ordini civit. Orcistanorum. || Actum est indulgentiae nos|trae munere, ius vobis civita|tis tributum non honore modo | verum libertatis etiam privi|legium custodire. Itaque Na||colensium iniuriam ultra in|dulgentiae nostrae beneficia | perdurantem praesenti re|scribtione removemus, idque | oratis vestris petitionique || deferimus, ut pecuniam, quam | pro cultis ante solebatis in|ferre, minime deinceps dependa|tis. Hoc igitur ad virum praest*a*|ntissimum rationalem Asia||nae dioeceseos lenitas nostra | perscribsit, qui secutus for|mam indulgentiae concessae | vobis pecuniam deinceps pro | supra dicta specie expeti a vo||bis postularique prohibebit. | Bene valere vos cupimus. | *B*asso et Abla*bio* cons.

A large stone, with an inscription on three sides of it, which was copied in part by Pococke in 1752, by Hamilton in 1839, and in its entirety by Ramsay in 1886 (*cf.* Mommsen, *Ges. Schr.* 5, 542–544). It was found on the site of Orcistus in Phrygia Salutaris. The stone bears inscriptions of two different dates. In the first place we have three inscriptions of the same year containing (*a*) the last part of the letter of Ablabius to the Orcistani (col. I, ll. 1–7); (*b*) the rescript of Constantine to Ablabius (col. I, 8–11, 16); (*c*) the beginning of the petition of the Orcistani to Constantine and his sons. In the second place we have a rescript (*d*) of Constantine at a later date to the Orcistani (col. III, 1–32). The date of (*a*), (*b*), and (*c*) falls between A.D. 323, when Constantius became Caesar, and 326, when Crispus died (Mommsen, *op. cit.* 5, 548). The last inscription (*d*) is dated June 30, A.D. 331. The first

petition of the people of Orcistus (*c*) was given to the *vicarius dioceseos Asianae* (*cf.* I, 3), transmitted by him to Ablabius, *praef. praet. per Orientem*, and then sent to the emperor. The emperor sends his answer (*b*) to the prefect, who in turn communicates it to the Orcistani with a letter of his own (*a*). In the second instance we have only the rescript of the emperor (*d*) addressed to the *ordo civitatis Orcistanorum* (III, 9). The *Dioecesis Asiana* (*cf.* III, 25) in which Orcistus lay was in direct charge of a *vicarius* (*cf.* I, 3), who in turn was subordinate to the *praefectus praetorio Orientis* (*cf.* Abbott, 338; Kornemann, *R.E.* 5, 729). Ablabius was in high favor with Constantine for many years, and held the post of *praef. praet.* for at least six years (*cf.* Seeck, *R.E.* 1, 103). During one of these years (A.D. 331) he was also consul (*cf.* col. III, 32; *Palladii Historia Lausiaca* (ed. Butler), 2, 230, n. 102).

What the people of Orcistus asked is clear from the two imperial rescripts. They begged (I, 43–44) *ut sibi ius antiquum nomenque civitatis concederet.* This position the town had held in earlier days (*cf. nominis et dignitatis reparationem*, I, 1–2; *ad integrum prisci honoris reduxit*, I, 4 and II, 5–6; *cf.* II, 22–25). The town is now claimed as a *vicus* (*cf.* I, 16) by the neighboring *civitas* of Nacolia (I, 33–34). It has lost the right of self-government, and tribute for the *aerarium* is apportioned among the people of Orcistus by the *curiales* of Nacolia (III, 14–23), and Orcistus probably has to pay a disproportionate share (*cf. depraedatione potiorum*, I, 37–38). A decline in the prosperity of Orcistus may well have led to this change in her political status (*cf.* Isidore, *Orig.* 15, 2, 11, *vici et castella et pagi sunt, quae nulla dignitate civitatis ornantur, sed vulgari hominum conventu incoluntur et propter parvitatem sui maioribus civitatibus attribuuntur*). Mommsen in his comments on *CIL.* III, 352 cites the similar case of Equus Tuticus (*CIL.* IX, 2165) which lost its independent status and was attributed to Beneventum. It was probably with a view to proving the prosperity of Orcistus that its people descant on its roads (II, 27), aqueducts, baths, and statues (I, 20–31). Furthermore they were ardent Christians (I, 39–42), and this fact may have enlisted for them the favor of Ablabius, who was a strong supporter of the new faith (*cf. R.E.* 1, 103). *Oppidum* and *civitas* are used in all these documents in a semi-technical way of a self-governing community (*cf.* I, 5; I, 17; I, 36; I, 43–44 II, 23; II, 25; III, 11), whose characteristics are defined in I, 18–20. *Civitas* came to be the generic name for such a city and, after the promulgation of the *constitutio Antoniana,* crowded out *colonia* and *municipium* (*cf.* Kornemann, *R.E., Suppl.* 303). *Legum. . .splendore* (I, 6; II, 8–9) suggests the phrase *uti suis legibus*, used of the grant of autonomy, and *libertatis privilegium* (III, 13–14) suggests the same right, but the designation *civitas libera* would probably not have its old characteristic meaning at this time. It is interesting to notice that the Orcistani themselves in speaking of their town in its present status use the colorless word, *patria* (II, 22, 30, 32).

Five years or more after the prayer of the Orcistani had been granted, Orcistus was still under the control of Nacolia. This situation called forth the second rescript, which, to make the *ius civitatis* of Orcistus effective, instructed the *rationalis Asianae Dioeceseos* (Hirschfeld, 35 *ff.*) to forbid Nacolia to require the payment of taxes from Orcistus. These taxes, payable in kind in any form of produce receivable at the public granaries (*species*, *cf.* Mommsen, *CIL.* III, 352), were commuted by a payment of money (*cf.* III, 28–29).

On the general form which these documents take, *cf.* pp. 237 *ff.* The first three, viz. the *preces* of the Orcistani, the *decretum* of the emperor, and the *epistula* of Ablabius, are quite unconventional. No one of them bears a date. The letter of Ablabius has no *inscriptio* or salutation at the end. If Mommsen's conjecture, *decreti* (I, 6), is accepted, we must take the word in a broad way of all kinds of imperial documents, rather than in the technical sense (*cf.* Hesky, *R.E.* 2289 *f.*). For *adnotationis* (I, 45), *cf.* p. 241. Mommsen (*CIL.* III, *S.* 7000) surmises that the emperor's *adnotatio* was on a stone now lost. In its contents the *decretum* follows very closely the *preces* of the people of Orcistus. The last document is more systematic, with its *inscriptio* (III, 1–9), the text proper (III, 10–30), and the *subscriptio* (III, 31). Rather exceptionally the place and the precise date are given at the beginning (III, 1–3).

## 155. EDICTUM CONSTANTINI AD UMBROS

(326–337 p. Chr.)

*CIL.* xi, 5265; Dessau, 705; Mommsen, *Ges. Schr.* 8, 25.

E. S. R. |

Imp. Caes. Fl. Constantinus | max. Germ. Sarm. Got. victor | triump. Aug. et Fl. Constantinus || et Fl. Iul. Constantius et Fl. | Constans. | Omnia quidem, quae humani gene|ris societate(m) tuentur, pervigilium cu|ra*rum* cogitatione conplectimur; sed pro-|| visionum nostrarum opus maximus (*sic*) | est, ut universae urbes, quas in luminibus provin|ciarum *a*c regionum omnium species et forma dis|tingui*t*, non modo dignitate(m) pristinam teneant, | sed etiam ad meliorem statum beneficentiae nos||trae munere *provehantur*. Cum igitur ita vos Tusci|ae adsereretis esse coniunctos, ut instituto | consuetudinis priscae per singulos (*sic*) annorum vi|ces a vobis *a*dque praedictis sacerdotes creentur, | qui aput Vulsinios Tusciae civitate(m) ludos || schenicos et gladiatorum munus exhibeant, | sed propter ardua montium et iti|nerum saltuosa inpendio posceretis, ut indulto | remedio sacerdoti vestro ob editiones cele-| brandas Vulsinios pergere necesse non esset, || scilicet ut civitati, cui nunc Hispellum nomen | est quamque Flaminiae viae confinem adque con|tinuam esse memoratis, de nostro cognomine | nomen daremus, in qua templum Flaviae gentis | opere magnifico nimirum pro amplitudinem (*sic*) || nuncupationis exsurgere*t*, ibidemque *is* | sacerdos, quem anniversaria vice Umbria de|disset, spectaculum tam scenicorum ludorum | quam gladiatorii muneris exhibere*t*, manente | per Tuscia (*sic*) ea consuetudine, ut indidem cre||atus sacerdos aput Vulsinios ut solebat | editionum antedictarum spectacula fre|quentare*t*: precationi ac desiderio vestro | facilis accessit noster adsensus. Nam civi|tati Hispello aeternum vocabulum nomenq. || venerandum de nostra nuncupatione conces|simus, scilicet ut in posterum praedicta urbs | Flavia Constans vocetur; in cuius gremio | aedem quoque Flaviae, hoc est nostrae gen|tis, ut desideratis, magnifico opere perfici || volumus, ea observatione perscripta, ne ae|dis nostro nomini dedicata cuiusquam con|tagiose superstitionis fraudibus polluatur; | consequenter etiam editionum in prae|dicta civitate exhibendorum (*sic*) vobis || licentiam dedimus

scilicet ut, sicuti | dictum est, per vices temporis sollem|nitas editionum Vulsinios quoque non de|serat, ubi creatis e Tuscia sacerdotibus memo|rata celebritas exhibenda est. Ita quippe nec || veteribus institutis plurimum videbitur | derogatum, et vos, qui ob praedictas causas | nobis supplices extitistis, ea quae inpen|dio postulastis, impetrata esse gaude|bitis.

l. 21. et difficultates itinerum: *tablet.*

Marble slab found at Hispellum in Umbria in 1733. For more than a century this inscription was regarded as a forgery, based in part on *CIL.* xi, 5283 (Dessau, 6623), another document found on the site of Hispellum. In 1850, however, Mommsen removed all doubt of its authenticity (*Ges. Schr.* 8, 24 *ff.*), and published a long commentary on it. Its authenticity was established largely by a comparison with Constantine's epistle to Orcistus (no. 154) which it resembles in language, in form, and in the titles employed, by the appearance of such archaic forms as *conplectimur* (l. 8), *aput* (l. 19), and *inpendio* (l. 22), as well as by the nature of the request and Constantine's reply to it.

It is of course a rescript, as the initial letters (*E.S.R.* = *exemplum sacri rescripti*) indicate, and is a reply to a petition, or, as Mommsen prefers to characterize it (*op. cit.* 8, 33 *ff.*), "ein rescriptähnliches Edict" or *lex edictalis.* It bears no date, and therefore seems to violate Constantine's own law of 322 (*Cod. Th.* 1. 1. 1), which rendered an edict without a date invalid, but the date may well have stood on the dedicatory stone (Mommsen, *op. cit.* 8, 29). From internal evidence it was evidently composed between A.D. 326, the date of the death of Crispus, and before Constantine's death in 337 (Mommsen, *op. cit.* 8, 32). Strangely enough the names of the persons addressed do not appear in the *inscriptio*, but the document is evidently intended for the Umbrians.

At this time Tuscia and Umbria had a common government under a *corrector* (*cf.* Marquardt, *St. Verw.* 1, 236, n. 2), and from this inscription it would appear that the province had a *concilium* at Volsinii, although there is no direct reference to such a body (*cf.* Kornemann, *R.E.* 4, 821 *f.*). At the annual meeting in Volsinii priests were elected, and plays and gladiatorial games given (ll. 17–20), but for the Umbrians the journey to Volsinii was hard and costly (l. 21). They therefore ask the emperor that they may not be required to go to Volsinii in the future (l. 24), that the emperor will give his name to Hispellum in Umbria, that they may found there a *templum Flaviae gentis*, choose a priest, and hold their annual plays and games, without interrupting the annual festival at Volsinii (ll. 27–34). The emperor grants their petition (ll. 36, 37) and allows Hispellum henceforth to bear the name Urbs Flavia Constans (ll. 41, 42). In Constantine's decision concerning the proposed temple (ll. 44, 45) his half-Christian, half-pagan state of mind is evident. His tolerant attitude in this case is paralleled, as Mommsen observes (*op. cit.* 8, 37), by his permission to Africa to establish a *templum gentis Flaviae.* For the policy of his successors in such matters, *cf. op. cit.* 8, 21 *ff.* In defining *gens Flavia* as *gens nostra*, the emperor is of course distinguishing his own line from the Flavian emperors of the first century

The particular interest which this document has for us lies in the fact that it illustrates the gradual substitution of the province for the municipality as the political and social unit in the empire, and may well bear evidence to the decline of municipal life. Under the republic and the early empire the city had been the recognized political unit, and it was with a city, or with a league of cities, that the senate or the emperor dealt. But from Constantine's time on we see a distinct effort being made to establish direct relations between the provincials, especially through their assemblies, and the central government. The *Codex* of Justinian contains edicts of Constantine addressed *ad Afros* (12. 57. 1) of A.D. 315, *ad Bithynos* (11. 8. 1) of 317, *ad Lusitanos* (1. 23. 4) of 322, *ad Afros* (10. 21. 1) of 327, and *ad concilium provinciae Africae* (2. 12. 21) of 315. There are three more addressed *ad provinciales*, one, *provincialibus suis*, two, *ad universos provinciales*, of which the earliest (8. 16. 7) is of the year 315, and eight *ad populum.* It is probable that every province was required to establish a *concilium.* At least this seems to have been the situation at the close of the fourth century (*cf. Cod. Th.* 12. 12. 13). The increase in the number of provinces from forty-five in A.D. 117 to one hundred and eight at the close of the fourth century (*cf.* Marquardt, *St. Verw.* 1, 489 *ff.*) meant a corresponding decrease in the size of each province, which made it possible for the residents of a province to have interests in common and take common action to further them, and Diocletian and his successors may well have had this consideration in mind in decreasing the size of the provinces (*cf.* Mommsen, *op. cit.* 8, 32–33; Kornemann, *R.E.* 4, 822 *f.*).

## 156. TITULUS HONORARIUS

(362–363 p. Chr.)

*CIL.* v, 8987; Dessau, 755.

Ab insignem singula|remque erga rem publicam | suam faborem | d(ominus) n(oster) Iulianus invictissimus prin||ceps remota provincialibus cura | cursum fiscalem breviatis mutationum spa|tiis fieri iussit, | disponente Claud*io* Mamertino v(iro) c(larissimo) per Ita|liam et Inlyricum praefecto praetorio, || curante Vetulenio Praenestio v(iro) p(erfectissimo) corr(ectore) | Venet(iae) et Histr(iae).

l. 1. ab *for* ob.

Found at Concordia, north-east of Venice. Cl. Mamertinus was praetorian prefect of Illyricum and Italy under Julian in 362 and 363; *cf.* Gensel, *R.E.* 3, 2730. On the *cursus publicus* in the early empire, *cf.* no. 51. The wrongs which the municipalities in the fourth century suffered at the hands of those who managed the post are graphically described by Libanius (*Orat.* 20), cited by Hudemann in *Gesch. d. röm. Postwesens*, 34. Draught animals were commandeered for the service; they were exhausted by long journeys, ill-fed, and sometimes turned loose on the highway. The accuracy of his statements is confirmed by the sixty-six constitutions of Title 5 of Bk 8 of the *Theodosian Code.* From constitutions, nos. 12, 13, 14, and 16, addressed to Mamertinus by Julian, we learn that he limited the number of passes (*diplomata* or *evectiones*) granted, and restricted to the emperor, the praetorian prefect, and the governor of a province the right to give them. In the *Itinerarium Hierosolymitanum* of A.D. 333 there were thirty points at which the animals were changed (*mutationes*) in a journey of 371 miles, and the distances covered by a single team varied from five to twenty-four miles; *cf.* Seeck, *R.E.* 4, 1855. Although the post is called the *cursus fiscalis*, it would seem from the constitutions of the period that the cities were still obliged to furnish fodder for the animals, pay for the construction and repair of the *mansiones* and *stabula*, and meet the expenses of the cross roads; *cf.* Humbert, *Dict. Dar.* 1, 1660.

### 157. RESCRIPTUM VALENTINIANI VALENTIS GRATIANI DE MOENIBUS INSTAURANDIS ET DE REDITIBUS FUNDORUM CIVITATIUM ASIAE

(371 p. Chr.)

*Anzeiger der Akad. der Wissen. in Wien*, 1905, no. 10; *Jahreshefte d. öst. archäol. Inst.* 8 (1905), *Beiblatt*, 71 *ff.*; *ibid.* 9 (1906), 40 *f.*; Bruns, 97 *a*; Riccobono, p. 374.

D.D.D. n.n.n. Auggg. Valentinia*nus*, *Valens*, Gratianus. Hab(e), Eutropi car(issim)e nobis. |

*Quod ex red*itibus fundorum iuris re*i* *publicae quo*s intra Asiam diversis quibusque civitatibus ad instaurand*am mo*enium fac*iem*,. . . . . . .*pro* certis | *partibu*s habita aestimatione concensimus capere quidem urb*es* singulas beneficii nostri uberem fructum et pro *temporum* *r*efers felici*tate nostror*um a foedo | *prioru*m squalore ruinarum in antiquam sui faciem nova reparatione consurgere, verum non integram gra*tiam con*cessi ad *ur*bes singulas beneficii || *per*venire si quidem pro partibus praestitis reditus civitatibus potius q*ua*m ipsi cum reditibus fundi fuerint restitu*end*i et ministrandi, idem reditus ab actor*i*bus | *pr*ibatae rei nostrae et diu miserabiliterque poscantur et vix aegr*e*que tribuantur adque id quod amplius e*x* *i*sdem fundis super statutum canonem | *c*ollig*a*tur, et isdem civitatibus pereat eorundemqu*e* actorum fraudibus devoratum nihil tamen aerario nostro adiciat augmenti possitque | a curialibus vel excultione maiore vel propensiore diligentia nonnullus praestitionis cumulus ad gratiam concessionis accedere, igitur cuncta diligenti coram investigatione perspeximus. | —Et primum Efesenae urbi, quae Asiae caput est, missa ad nos dudum legatione poscent*i* || *p*artem redituum non fundorum advertimus fuisse concessam; unde illi interim quam esse omnium maximam nulla dubitatio est, in parte co*n*|*c*essa cum eo fundo quem Leucem nomine nostra iam liberalitate detentat, tra*di* centum iuga promulgata sanctione mandavimus, ut eius exemplo quid adhoc | ista in reparandis moenibus profecerit intuentes an

reliquis praestandum sit similia, decernamus. Hac sane quia ration*e* plenissima, quod intra Asiam rei publicae | iuga esse videantur cuiusque qualitatis quantumve annua praestatione dependant, mansuetudo nostra instructa *c*ognovit, offerendam experientiae tu*ae* | credidimus optionem, ut, si omnem hanc iugationem quae est per omnem diffus*a* provinciam, id est sex milia sentingenta triginta sex semis opim*a* || adque idonea iuga, quae praeter vinum solidorum ad fixum semel canonem trea milia extrinsicus solidorum annua praestare referuntur, sed et septingenta tr*ia deserta* | et iam defecta *ac* sterilia iuga quae p*er* illa quae idonea diximus sustinentur, suscipere propria praestatione non abnuis, petitis maiestas nostra consen*tiat*, | s*c*ili*c*et u*t* arbitrio tuo per curias singulas omni iugatione dispersa retracto eo redituum modo quem unicuique civitatum propria largitate concen*simus* | *r*eliquam summam per officium tuum rei privatae nostrae inferre festines, ut et omnem usuram diligenti*a* avidis eripiamus actoribus et si quid extrinsi*cus* | *luc*ri est cedat rationibus civitatum. Sane quia rerum omnium integram cupimus habere notitiam et ex industria nobis tuam expertam diligen*tiam* || *polli*cemur, plena te volumus ratione disquirere per omnem Asiam provinciam fundos iugationemque memoratam, qui in praesentem diem ha*bita* | *licitati*one possideant et quantum per iuga singula rei privatae nostrae annua praestatione dependant, qui etiam opimi adque utiles fundi | *fisco* gr*ati* *si*ngulis quibusque potentissimis fuerint elocati et qui contra infecundi ac steriles in damnum rei nostrae paenes actores | *f*uerint d*erelicti* *s*cilicet ut omni per idoneos ratione discussa a*c* (?) confectis quam diligentissime brevibus mansuetudini nostrae veri | fidem nun*ti*es, u*t* *inst*ructi super omnibus amplissimum efficacis industriae praestantiae tuae testimonium deferamus.

Eutropius, to whom this rescript was addressed, was governor of Asia in A.D. 371 (*cf.* Ammianus, 29. 1. 36, and Schulten, *Jahreshefte d. öst. archäol. Inst.* 9 (1906), 43 *f.*). The cities in Asia had suffered severely from earthquakes in 358 and 365 (Ammianus 17. 7. 1; Libanius, 1, 621 (Reiske); Schulten, *op. cit.* 52). Furthermore much of their land had been confiscated or reverted to the emperors and had been converted into imperial domains; *cf.* Declareuil, *Quelques problèmes d'histoire des institutions municipales*,

332 *f.* Probably reference is made to the recent earthquakes in ll. 3–4. The setting of the rescript is thus explained by Heberdey (*Jahreshefte d. öst. archäol. Inst.* 9 (1906), 192). In 365 Valens arranged that certain cities of Asia should receive a part of the returns from some of the *fundi rei publicae* for the purpose of rebuilding their walls. The dishonesty of the managers of the domains led the governor of Asia to propose that the cities should be allowed to manage these properties themselves. The plan was first tried in Ephesus, and finally this rescript was sent to Eutropius directing him to collect the revenue and divide it between the cities and the *res privatae* of the emperor; *cf. arbitrio tuo . . . festines* (ll. 17 *ff.*). For a somewhat different explanation, *cf.* Schulten, *loc. cit.* The *actores* in Asia were evidently as venal as the procurators in Africa; *cf.* no. 111. The emperors complain that most of the revenue from the public lands goes, not to the cities, nor into the public treasury, but into the pockets of the officials (*cf.* l. 7). Schulten notes (*loc. cit.* 58 *f.*) that Valentinian had already issued two edicts (*Cod. Th.* 4. 13. 7; 15. 1. 18), in one of which he directed Constantius, the proconsul of Africa, to devote a third part of the revenues from the *fundi rei publicae* to public works in the cities, and in 395 a constitution of Arcadius and Honorius (*Cod. Th.* 15. 1. 33) refers to the assignment of one third to the cities for the repair of their walls. Before Valentinian, Alexander Severus (*Hist. Aug. Alex. Sev.* 22, 44) and Constantius (*Cod. Th.* 4. 13. 5) had given a part of the *vectigalia*, in Africa one fourth, to the repair of the walls and public works of provincial cities. The central government took up the matter of repairing the walls of cities on the borders of the empire because of the barbarian invasions which began about this time; *cf.* Ammianus, 26. 4. 5. For the *canon*, *cf.* Leonhard, *R.E.* 3, 1486; for the *iugatio* and *iuga*, *cf.* pp. 130 *ff.* In l. 15 probably VI or VII has been corrupted into *vinum*.

## 158. RESCRIPTUM IMPERATORUM VALENTINIANI VALENTIS GRATIANI AD FESTUM PROCONSULEM ASIAE DE LUDIS PROVINCIALIBUS

(375 p. Chr.)

Bruns, 97*b*.

*D.D.*D. n.n.n. Auggg. Valen*t*inianus, Valens, Gratia*n*us. *Habe* (?) 1
Feste *car*(*issime*) *n*ob(is). |

Honorem Asiae ac totius provinci*ae* dignitatem, quae ex iudicantis pendebat arbitrio, *exe*mplo Illyri*ci* a*d*que *It*alarum urbium recte perspexi*mus* | esse firmatum. Nec enim utile videbatur, u*t* *po*npa conventus publici unius arbitrio gereretur, qu*a*m consuet*u*dinis instaurata deberet solemnitas | exhibere. Ex sententiis deni*q*ue factum est, quod divisis officiis per quattuor civitates, quae metr*o*polis apu*d* Asiam nominantur, lustralis cernitur edi*tio* (?) || constituta, 5
ut, dum a singulis ex*hi*bitio postulatur, non desit provinciae coronatus nec gr*a*vis cuiquam erogatio sit futura, cum servatis vicibus qu*in*|to anno civitas praebeat editorem. Nam et *illu*d quoque libenter admisimus quod in minoribus m*u*nicipiis generatis, quos popularis animi gloria maior | attollit, facultatem tribui edendi mu*ner*is postulasti, videlicet ut in metropoli Efesena a*lia* e civi*ta*te asiarchae sive alytarchae pro*cedant ac sic* | officiis melioribus nobilitate contend*ant*. Unde qui desideriis sub seculi nostri felicitate ferv*enti*bus gaudiorum debeamus f*o*men*ta* *p*raes*t*are cele|brandae editionis dedimus potestat*e*m, adversum id solum voluntatem contrariam ref*eren*tes, ne suae civitatis obliti e*i*us in qua ediderin*t* ||
munera cur*ia*e socientur, Feste carissime ac iucundissime. Lauda*ta* 10
ergo experientia tua n*ost*ri potius praecepta sequatur arbitrii, ut omn*es* | qui ad hos h*on*ores transire festinant, c*u*nctas primitus civitatis suae restituant functiones, u*t* *p*eractis curiae muneribus a*d* *h*onorem totiu*s* | provinciae debito fabore festinent p*er*cepturi postmodum, si tamen voluerint, senat*o*riam dignitatem, *ita tam*en, ut satisfacien*te*s legi in locis *suis* | alteros dese*r*ant substitutos. Ceterum nequaquam ad commodum credimus esse iustitiae, ut expensis rebus suis laboribusque transactis | veluti novus tiro ad curiam transeat alienam, cum rectius honoribus fultus in sua debeat vivere civitate.

*Τὴν τειμὴν τῆς Ἀσίας καὶ ὅλης τῆς ἐπαρχίας τὸ ἀξίωμα, ὅπερ* II

καὶ ἐκ τῆς ἐπικρίσεως ἤρτητο τοῦ ἄρχοντος, ἐξ ὑποδίγματος τοῦ
’Ιλλυρικοῦ καὶ τῶν [τ]ῆς ’Ιταλίας | πόλεων ὀρθῶς λείαν κατενοήσαμεν
διακεκρίσθαι. Οὔτε γὰρ λυσιτελὲς ἐνομίζετο τὴν
πομπὴν τῆ[ς] συνόδου τῆς δημοσίας ἑνὸς γνώμῃ πράτ[τε]σθαι, |
ἣ[ν] ἐκ συνηθίας ἐπαντρέχοντες οἱ χρόνοι ἀπήτουν. ’Ακολούθως
τοίνυν γεγένηται ἐπιμε[ρ]ισθῆναι τοὺς χρόνους εἰς τὰς τέσσαρας
πόλεις, αἵτινες | μητροπόλεις ἐν ’Ασίᾳ ψηφίζονται, ὡς τὴν τῆς
πενταετηρίδος ἔκδοσιν τοιαύτην ἔχειν τὴν κατάστασιν καὶ μηδεπώποτε
5 δύνασθαι λείπειν || τὸν κοσμούμενον ὑπὸ τοῦ τῆς ’Ασίας
στεφάνου. ’Αλλ’ οὔτε ἐπιφορτίζεσθαί τις δύναται ὑπὸ τοῦ δαπανήματος,
ἐπὰν μάλιστα ἀμοιβαδὸν τρεχόντων | τῶν χρόνων ἑκάστη
τῶν μητροπόλεων μετὰ πενταετῆ τὸν χρόνον δίδωσιν τὸν λιτουργή[σ]οντα.
Καίτοι ἡδέως προσηκάμεθα ἐπί περ τοὺς τε|χθέντας
ἐν ταῖς μικραῖς πόλεσιν, ἐπὰν δημοτικωτέρας γενάμενοι ψυχῆς
τὸν ἔπαινον τὸν ἐκ τοῦ δήμου φαντάζωντε, ἐξουσίαν αὐτοῖς |
παρέχεσθαι τοῦ ἐν τῇ ’Εφεσίων μητροπό[λ]ει μόνῃ τὴν ἀσιαρχίαν
ἢ τὴν ἀλυταρχίαν αὐτὸν ἀνύειν καὶ τοῖς καθήκοις τοῖς καλλίοσιν
ἐκ τῆς ἐπιφανοῦς | λειτουργίας φαίνεσθαι. Ὅθεν, ἐπειδὴ ἐκ τῆς
εὐμοιρίας τῶν καιρῶν τῶν ἡμετέρων αἱ ἐπιθυμίαι αἱ πλίονα τὴν
10 ἑορτὴν ἔχουσαι ὀφίλουσιν αὔξεσθαι || καὶ παρ’ ἡμῶν αὐτῶν ἔχειν
τὴν σπουδήν, βουλομένοις αὐτοῖς λειτουργεῖν παρέχομεν ἄδιαν,
εἰς τοῦτο μόνον διασφαλιζόμενοι τοὺς τοιούτους, ἵνα μ[ὴ] | τῶν
ἰδίων πόλεων ἐπιλανθανόμενοι πάντῃ ἑαυτοὺς μεταγράφουσιν,
Φῆστε τιμιώτατε καὶ προσφιλέστατε. ‘Η ἐπαινετὴ ἐνπειρία σου
τοῦ ἡμετέρου θ[ε]σ|πίσματος ἀκολουθησάτω τῇ γνώμῃ καὶ πάντας
τοὺς εἰς ταύτην τὴν τιμὴν ἐπιτρέχοντας πάσας πρότερον τὰς
λιτουργίας τῇ ἑαυτοῦ πόλει ἀποπληροῦν | προσταξάτω, πληρωθέντων
δὲ τῶν λιτουργημάτων εἰς τὴν τιμὴν τὴν μίζονα, τουτέστιν
ὅλης τῆς [ἐ]παρχίας σπεύδουσιν αὐτοῖς ἄδιαν παρεχέτω, δυναμένοις
μ[ετὰ] | ταῦτα καὶ τὸ τῶν λαμπροτάτων ἀξίωμα
κ[α]τ[αδ]έχεσθαι, οὕτως μέντοι, ὡς πρότερον αὐτοὺς τὸ ἱκανὸν
ποιοῦντας τῷ νόμῳ εἰς τὸν ἑαυτῶν τόπον ὑποκαθίσταν(ται)
15 τα[ῖς] || ἑαυτῶν πατράσιν ἑτέρους. Οὔτε δὲ ἑτέρο[θι λ]υσιτελεῖν
νενομίκαμεν αὐτοῖς, ἵνα ἀναλώσ(α)ντες τὰ ἑαυτῶν μετὰ τοὺς
πόνους τῶν λειτουργημάτων ἀπα[χθεὶς] | ὡς νεαρὸς τίρων εἰς
ἕτερον βο[υλευτ]ή[ριο]ν ἑαυτὸν μεταγράφει ὀφίλων ἐν τῇ (ἑ)αυτοῦ
(μᾶ)λλον ζ[ῆ]ν τε καὶ φαίνεσθαι πόλει.

The provincial games at this period were held in four cities in the province of Asia, and the liturgy of asiarch or alytarch could legally be held only by residents of those cities. Citizens of other cities in the province were ambitious to attain these honors, and by this rescript the emperors gave them permission to hold these offices on condition that they first perform all the regular liturgies of their place of origin (*cf. Cod. Th.* 15. 5. 1). The performance of these liturgies in a metropolitan city did not confer citizenship in that city, and these aspirants for provincial honors from the smaller towns could not renounce their allegiance to their local curia (*cf. Cod. Th.* 12. 1. 106). In this period it is evident that citizens sought this method of escape from the obligations of their native place (*Cod. Th.* 12. 1. 176). *Cf. Jahreshefte d. öst. arch. Inst.* 8 (1905), *Beiblatt*, 74 *ff.*

## 159. TITULUS HONORARIUS

(376 p. Chr.)

*CIL.* vi, 1736; Dessau, 1256.

Hymetii. — | . . . Iulio Festo Hymetio c. v., | correctori Tusciae et Umbriae, praetori urbano, | consulari Campaniae cum Samnio, || vicario urbis Romae aeternae, proconsuli | provinciae Africae, ob insignia eius | in rempublicam merita et ob depulsam | ab eadem provincia famis et inopiae vastitatem | consiliis et provisionibus, et quod caste || in eadem provincia integreque versatus est, | *qu*od neque aequitati in cognoscendo | neque iustitiae defuerit, quod studium | sacerdotii provinciae restituerit | ut nunc a conpetitoribus adpetatur || quod antea formidini fuerit: ob quae eadem | provincia Africa, decretis ad divinos principes | dominos nostros missis | Valentem Gratianum et Valentinianum | perpetuos Augustos, || statuam unam apud Carthaginem sub auro, | alteram quoque Romae eidem sub auro | postulandam esse credidit, quod nulli | proconsulum vel ex proconsulibus | statuendam (*sic*) antea postularit. (*In latere*) dd. nn. Val*ente V et Valentiniano coss.* . . . .

Found in Rome. Hymetius' proconsulship in Africa began in 366 (*cf. Cod. J.* 3. 61. 1; *Cod. Th.* 9. 19. 3). This inscription furnishes proof of a *concilium* in Africa Proconsularis in the fourth century. Several other references to this *concilium* are found in the *Codices, e.g. Cod. J.* 2. 12. 21; *Cod. Th.* 11. 30. 15. The steps which Augustus (*cf.* Cass. Dio, 56. 25) and Nero took (*cf.* Tac. *Ann.* 15. 22) to prevent provinces from passing complimentary decrees in honor of a governor were evidently ineffective. Several such decrees are extant, *e.g. CIL.* x, 1430–1432, 3853; III, 1412, 1741. On the *concilia*, *cf.* pp. 162 *ff.*

### 160. INDEX SODALIUM FAMILIAE PUBLICAE

(saec. IV p. Chr.?)

*CIL.* XIV, 255; Dessau, 6153.

Familia Publica:

Ost. Herme s tab. Onesimu s
Dionysiu s ark. Ost. Callistu s
Euaristu s ark. Geminius Trophimianus
Ost. Eutychu s Ost. Appianu s
Ost. Asclepiade s Vetulenius Primion
Ost. Liberali s Mamidia Hygia
Ost. Primio n Ost. Sabinu s
Ost. Polygonu s Mumius Luciu s
Faustu s Onesimu s
Ost. Epafroditu s Ost. Sanctu s
(*sequuntur alia nomina sexaginta et unum*).

Found at Ostia. Into this college even freemen (*e.g.* Geminius Trophimianus) were admitted. For the *tabularius* and *arkarius* of *collegia*, *cf.* Kornemann, *R.E.* 4, 423 *f.*

### 161. DECRETUM PROVINCIAE AFRICAE

(saec. IV p. Chr.?)

*CIL.* VIII, *S.* 11017.

*Gen*io senatus | ob *repar*atam | iustitiam, | servata defen||saqu*e* p(rovincia) A(frica), | Gigth*e*nses | publice ex | d(ecreto) p(rovinciae) A(fricae).

Found at Gigthi in the provincia Tripolitana. It records the passage of a resolution in the *concilium*, probably of Africa Proconsularis, expressing gratitude to the Roman senate, probably for the conviction and punishment of an unjust governor, against whom the province had made charges. On Gigthi, *cf.* no. 115.

# II. DOCUMENTS FROM EGYPT

## 162. EDICTUM L. AEMILI RECTI DE ANGARIA

(42 p. Chr.)

*P. Br. Mus.* 1171; Wilcken, *Chrestomathie*, 439.

Λεύκιος Αἰμίλλις Ῥῆκτος λέγει. | Μηδενὶ ἐξέστω ἐνγαρεύειν τοὺς ἐπὶ τῆς χώρας | μηδὲ ἐφόδια ἢ ἄλλο τι δωρεὰν αἰτεῖν ἄτερ τοῦ | ἐμο[ῦ] διπλώματος, λαμ[β]άνειν δὲ ἕκασ[το]ν τῶν || ἐχ[όντ]ων ἐμὸν δίπλωμα τὰ αὐταάρκει ἐπιδήτια | τιμὴν ἀποδιδόντας αὐτῶν. Ἐὰν δέ τις | μηνυθῆι ἢ τῶν στρατευομένων ἢ τῶν μαχαιροφόρω(ν) | ἢ ὅστις οὖν τῶν ὑπηρετῶν τῶ[ν ἐν τ]αῖς δημοσ[ίαις] | χρήαις παρ[ὰ τ]ὸ ἐμὸν διάτα[γμ]α [π]εποηκὼς ἢ βεβιασ||μένος τινὰ τῶν ἀπὸ τῆς χώρας ἢ ἀργυρολογήσας, | κατὰ τούτου τῆι ἀνωτάτωι χρήσομαι τειμωρίαι. | (Ἔτους) β Τιβερίου Κλαυδίου Καίσαρος Σεβαστοῦ Αὐτοκράτορος | Γερμανικοῦ δ̅.

l. 3. ἄτερ τοῦ is a correction made by the scribe for ἄτερ.
l. 5. αὐταάρκει Wilcken; αὐτὰ ἃ ἀρκεῖ Grenfell-Hunt, *Archiv*, 4, 539. ἐπιδήτια=ἐπιτήδεια.

Beginning with the edict of Germanicus in A.D. 19 (Preisigke, *Sammelbuch*, 3924), we find a number of edicts issued by various prefects of Egypt designed to check the extortions practised by soldiers and officials in the villages. *Cf.* nos. 163, 165. In spite of the fact that Egypt was under the direct supervision of the emperor, it is evident that the control of the soldiery in the outlying regions was a difficult problem in the very beginning of the empire. Although the severest penalties are threatened, the frequent repetition of similar edicts shows that the penalties were not inflicted, and the abuses remained unchecked. It is probable that the imperial provinces where soldiers were stationed suffered in the same way, but documentary evidence is lacking until the third century. *Cf.* nos. 139, 141–144; Rostowzew, *Klio*, 6 (1906), 249 *ff.*

## 163. EDICTUM CN. VERGILI CAPITONIS PRAEFECTI

(49 p. Chr.)

*CIG.* 3, 4956 (*cf. Add.*, p. 1236); Lafoscade, 119; Ditt. *Or. Gr.* 665.

Ποσιδώνιος στρατηγός. | Τῆς πεμφθείσης μοι ὑπὸ τοῦ κυρίου ἡγεμόνος | ἐπιστολῆς σὺν τῶι ὑποτεταγμένωι προστάγ|ματι τὰ ἀντίγραφα ὑμεῖν ὑποτέταχα, ἵν' εἰδό||[τες] αὐτὰ καὶ [εὐπ]ειθῆτε καὶ μηδὲν ὑπεναντίον τοῖς προσ|[τεταγμένο]ις ποιῆ[τε]. Ἐπὶ ἔτο[υς] ἐνάτου Τιβερίου Κλαυδίου Καίσαρος | [Σεβαστοῦ Γερμανι]κοῦ Αὐτοκράτορος Μεχεὶρ ζʹ. |

Γν[(αῖος) Οὐεργίλιος Κ]απίτων Ποσειδωνίωι, στρατηγῶι Ὀάσε[ως | Θηβαΐδος, χαίρειν. Ὁ ἐπὶ] τῆς πόλεως [πρ]οέθηκα διάταγμα, || [τούτου ἀντίγραφον] ἔπεμψά σ[οι]. Βούλομαι οὖν [σ]ε ἐν | [τάχει ἔν] τε τῆι μητροπόλει τοῦ νομοῦ καὶ καθ' ἕ[κ|αστον τόπο]ν αὐτὸ προθεῖναι σαφέσι καὶ εὐσήμοις | [γράμμασιν], ἵνα [παν]τὶ [ἔκ]δηλα γένηται τὰ ὑπ' ἐμοῦ [σταθέντα]. |

Γναῖος Οὐ[εργί]λιος Καπίτων λέγει. || Καὶ πάλαι μὲν ἤκουόν τινας δαπάνας ἀδίκους καὶ παραλογισ[θεί|σ]ας ὑπὸ τῶν πλεονεκτικῶς καὶ ἀναιδῶς ταῖς ἐξουσίαις ἀπο|χρωμένων γείνεσθαι, καὶ νῦν δὲ ἐν τῆι τῶν Λιβύων μάλιστα | ἔγνων ὑποθέσει, ὅτι ἀναλίσκεταί τινα ἁρπαζόντων ἀδε|ῶς τῶν ἐπὶ ταῖς χρείαις ὡς ὑποκείμενα εἰς δαπάνας || καὶ ξένια (ἑ)αυτῶν τὰ μήτε ὄντα μήτε ὀφείλοντα εἶναι, | ὁμοίως δὲ καὶ ἀνγαρειῶν ὀνόματι. Διὸ κελεύω⟨ι⟩ τοὺς | διοδεύοντας διὰ τῶν νομῶν στρατιώτας καὶ ἱππεῖς καὶ | στάτορας καὶ ἑκατοντάρχας καὶ χειλιάρχους καὶ τοὺς (λο)ι|ποὺς ἅπαντας μηδὲν λαμβάνειν μηδὲ ἀνγαρεύειν εἰ μή || τινες ἐμὰ διπλώματα ἔχουσιν· καὶ τούτους δὲ στέγηι μόνον δέ|χεσθαι τοὺς διερχομένους, ὑποκείμενόν τε μηδένα μηδὲν πράτ|τειν ἔξω τῶν ὑπὸ Μαξίμου σταθέντων. Ἐὰν δέ τις δῶι ἢ ὡς δε|δομένον λογίσηται καὶ εἰσπράξηι δημοσίαι, τοῦτον τὸ δεκαπλοῦν | ἐγὼ⟨ι⟩ ἐκπράξω⟨ι⟩ οὗ αὐτὸς ἔπραξεν τὸν νομόν, καὶ τῶι μηνύσαντι || τὸ τετραπλάσιον μέρος δώσω⟨ι⟩ ἐκ τῆς τοῦ κατακριθέντος οὐσίας. | Ο[ἱ μὲν οὖν β]ασιλικοὶ γραμματεῖς καὶ κωμογραμματεῖς καὶ τοπογραμ|[ματ]εῖς κατὰ νομὸν πάντα ὅσα δαπανᾶται ἐκ τοῦ νομοῦ, εἴ τινα | πέπρακται παραλόγως ἢ ἄλλο τι ἀναγραφ[έσ]θωσαν καὶ ἐ[ν ἡμέραις] | ἑξήκοντα ἐπιδότωσαν οἱ δ'

ἐ[ν]τὸς Θηβαΐδος διὰ τετραμήνου, [εἰς τὰ] || λογιστήρια καὶ πρὸς Βασιλείδην τὸν Καίσαρος ἀπελεύθερον τὰ ἐξ ἑκάσ|του λογιστηρίου, καὶ τοὺς ἐκλογιστὰς πεμπέτωσαν, ἵν' ἐάν τι παρὰ τὸ δί|καιον λελογευμένον ἢ πεπραγμένον ἦι, τοῦτο διορθώσομαι· Ὁμοίως | δ[ὲ] βούλομαι δηλοῦσθαι . . . . . . . . (*reliqui versus, maxime mutili, omissi sunt.*)

This inscription is engraved on the great temple at Girgeh. The prefect sent a copy of the edict to the strategus in command of the Thebaid with instructions to publish it in various places. The tenor of the edict is similar to that of nos. 113, 139, 141, 162, 165; *cf. P.S.I.* 446. Here we have the confession of the prefect that complaints of the exactions of soldiers and officials had long been known to him, but apparently no action had been taken until the Libyans had appealed to him. In this edict the punishment is more explicit than that prescribed in no. 162. The prefect promises to exact tenfold from anyone who makes exactions without a requisition, and a reward of fourfold is to be given to the informer.

## 164. EDICTUM L. LUSI GETAE DE IMMUNITATE SACERDOTUM

(54 p. Chr.)

Lafoscade, 120; Ditt. *Or. Gr.* 664; Milne, *Greek Inscriptions*, p. 11.

Λούσιος [Γέτας] Κλαυδίωι Λυσα|νίαι στρατηγῶι Ἀρσινοείτου | χαίρειν. Τὸ ὑπογεγραμμένον | ἔκθεμα πρόθες ἐν οἷς καθήκει || τοῦ νομοῦ τόποις, ἵνα πάντες | (ε)ἰδῶσι τὰ ὑπ' ἐμοῦ κελευόμενα. | Ἔρρωσο. | Λούκιος Λούσιος [Γέτας] λέγει. | Ἐπεὶ Ἀρσινοείτου ἱερεῖς θεοῦ || Σοκνοπαίου ἐνέτυχόν μοι | λέγοντες εἰς γεωργίας ἄγ̣εσθαι, | τούτους μὲν ἀπολύω⟨ι⟩· ἐὰν | δέ τις ἐξελεγχθῆι τὰ ὑπ' ἐμοῦ | ἅπαξ κεκριμένα ἢ προστα||χθέντα κεινήσας ἢ βουληθεὶς | ἀμφίβολα ποιῆσαι, κατὰ [π]ᾶν | ἢ ἀργυρικῶς ἢ σωματικῶς | κολασθήσεται. L ιδ' Τιβερίου | Κλαυδίου Καίσαρος Σεβαστοῦ, || Φαρμουθὶ ι'.

This inscription is carved on a stone now in the Museum of Cairo. The edict of the prefect indicates the desire of the government to control the license of subordinates who had apparently been guilty of disregarding the orders issued from the office of the prefect (*cf.* nos. 162, 163, 165). On the position of the priesthood in Egypt under the empire see the commentary on no. 178; Otto, *Priester und Tempel*, *passim*.

## 165. EDICTUM TIBERI IULI ALEXANDRI PRAEFECTI
(68 p. Chr.)

Ditt. *Or. Gr.* 669; *CIG.* 4957 (*cf.* vol. 3, *Add.* p. 1236); Riccobono, p. 253; Girard, p. 174.

Ἰούλιος Δημήτριος, στρατηγὸς Ὀάσεως Θηβαΐδος. Τοῦ
πεμφθέντος μοι διατάγματος ὑπὸ τοῦ κυρίου ἡγεμόνος | Τιβερίου
Ἰουλίου Ἀλεξάνδρου τὸ ἀντίγραφον ὑμεῖν ὑπέταξα, ἵν' εἰδότες
ἀπολαύητε τῶν εὐεργεσιῶν. L β' Λουκίου Λιβίου Σεβαστοῦ
Σουλπικίου | Γάλβα Αὐτοκράτορος Φαωφὶ α' Ἰουλίαι Σεβαστῆι.

Τιβέριος Ἰούλιος Ἀλέξανδρος λέγει. Πᾶσαν πρόνοιαν ποιού-
μενος τοῦ διαμένειν τῶι προσήκοντι κα|ταστήματι τὴν πόλιν
ἀπολαύουσαν τῶν εὐεργεσιῶν ἃς ἔχει παρὰ τῶν Σεβαστῶν καὶ
τοῦ τὴν Αἴγυπτον ἐν εὐσταθείαι διάγουσαν εὐθύμως ὑπηρετεῖν
τῆι τε εὐθηνίαι καὶ τῆι μεγίσ||τηι τῶν νῦν καιρῶν εὐδαιμονίαι,
μὴ⟨ι⟩ βαρυνομένην καιναῖς καὶ ἀδίκοις εἰσπράξεσι· σχεδὸν δὲ ἐξ
οὗ τῆς πόλεως ἐπέβην καταβοώμενος ὑπὸ τῶν ἐντυγχανόντων
καὶ κατ' ὀλίγους καὶ κα|τὰ πλήθη⟨ι⟩ τῶν τε ἐνθάδε εὐσχημονε-
στάτων καὶ τῶν γεωργούντων τὴν χώραν μεμφομένων τὰς ἔγγιστα
γενομένας ἐπηρείας, οὐ διέλιπον μὲν κατὰ τὴν ἐμαυτοῦ δύναμιν
τὰ ἐπείγοντα | ἐπανορθούμενος· ἵνα δὲ εὐθυμότεροι πάντα ἐλπί-
ζητε παρὰ τοῦ ἐπιλάμψαντος ἡμεῖν ἐπὶ σωτηρίαι τοῦ παντὸς
ἀνθρώπων γένους εὐεργέτου Σεβαστοῦ Αὐτοκράτορος Γάλβα τά
τε πρὸς σωτηρίαν | καὶ τὰ πρὸς ἀπόλαυσιν, καὶ γινώσκητε ὅτι
ἐφρόντισα τῶν πρὸς τὴν ὑμετέραν βοήθειαν ἀνηκόντων, προέ-
γραψα ἀναγκαίως περὶ ἑκάστου τῶν ἐπιζητουμένων, ὅσα ἔξεστί μοι
κρεί|νειν καὶ ποιεῖν, τὰ δὲ μείζονα καὶ δεόμε(να) τῆς τοῦ αὐτοκρά-
τορος δυνάμεως καὶ μεγαλειότητος αὐτῶι δηλώσω⟨ι⟩ μετὰ πάσης
ἀληθείας, τῶν θεῶν ταμιευσαμένων εἰς τοῦτον τὸν || ἱερώτατον
§ 1 καιρὸν τὴν τῆς οἰκουμένης ἀσφάλειαν. Ἔγνων γὰρ πρὸ παντὸς
εὐλογωτάτην οὖσαν τὴν ἔντευξιν ὑμῶν ὑπὲρ τοῦ μὴ⟨ι⟩ ἄκοντας
ἀνθρώπους εἰς τελωνείας ἢ⟨ι⟩ ἄλ|λας μισθώσεις οὐσιακὰς παρὰ
τὸ κοινὸν [ἔ]θος τῶν ἐπαρχειῶν πρὸς βίαν ἄγεσθαι, καὶ ὅτι οὐκ

ὀλ[ίγ]ω[ι] ἔβλαψε τὰ πράγματα τὸ πολλοὺς ἀπείρους ὄντας
τῆς τοιαύ|της πραγματείας ἀχθῆναι μετ᾽ ἀνάγκης ἐπιβληθέντων
αὐτοῖς τῶν τελῶν. Διόπερ καὶ αὐτὸς οὔτε ἤγαγόν τινα εἰς
τελωνείαν ἢ⟨ι⟩ μίσθωσιν οὔτε ἄξω⟨ι⟩ εἰδὼς τοῦτο | συμφέρειν
καὶ ταῖς κυριακαῖς ψήφοις τὸ μετὰ προθυμίας ἑκόντας πραγμα-
τεύεσθαι τοὺς δυνατούς. Πέπεισμαι δὲ ὅτι οὐδ᾽ εἰς τὸ μέλλον
ἄκοντάς τις ἄξει τελώνας | ἢ⟨ι⟩ μισθωτάς, ἀλλὰ διαμισθώσει
τοῖς βουλομένοις ἑκουσίως προ(σ)έρχεσθαι, μᾶλλον τὴν τῶν
προτέρων ἐπάρχων αἰώνιον συνήθειαν φυλάσσων ἢ⟨ι⟩ τὴν πρόσ-
καιρόν τινος ἀδικίαν || μειμησάμενος. Ἐπειδὴ⟨ι⟩ ἔνιοι 15
προφάσει τῶν δημοσίων καὶ ἀλλότρια δάνεια παραχωρούμενοι §2
εἴς τε τὸ πρακτόρειόν τινας παρέδοσαν καὶ εἰς ἄλλας φυλακάς,
ἃς καὶ δι᾽ αὐτὸ τοῦτο | ἔγνων ἀναιρεθείσας, ἵνα αἱ πράξεις τῶν
δανείων ἐκ τῶν ὑπαρχόντων ὦσι καὶ μὴ⟨ι⟩ ἐκ τῶν σωμάτων,
ἑπόμενος τῆι τοῦ θεοῦ Σεβαστοῦ βουλήσει κελεύω⟨ι⟩ μηδένα τῆι
τῶν δημοσίων προφά|σει παραχωρεῖσθαι παρ᾽ ἄλλων δάνεια ἃ
μὴ⟨ι⟩ αὐτὸς ἐξ ἀρχῆς ἐδάνεισεν, μὴ⟨ι⟩ δ᾽ ὅλως κατακλείεσθαί
τινας ἐλευθέρους εἰς φυλακὴν ἡντινοῦν, εἰ μὴ⟨ι⟩ κακοῦργον, μηδ᾽
εἰς τὸ πρακ|τόρειον, ἔξω⟨ι⟩ τῶν ὀφειλόντων εἰς τὸν κυριακὸν
λόγον. . . . . . . . . . . . . . . . . . . . . Ἐνετεύχθην δὲ καὶ περὶ τῶν ἀτε- §4
λειῶν καὶ κουφοτελειῶν, ἐν αἷς ἐστιν καὶ τὰ προσοδικά, ἀξιούντων
αὐτὰς φυλαχθῆναι, ὡς ὁ θεὸς Κλαύδιος | ἔγραψεν Ποστόμωι
ἀπολύων, καὶ λεγόντων ὕστερον κατακεκρίσθαι τὰ ὑπὸ ἰδιωτῶν
πραχθέντα ἐν τῶι μέσωι χρόνωι μετὰ τὸ Φλάκκον κατακρεῖναι
καὶ πρὸ τοῦ τὸν θεὸν | Κλαύδιον ἀπολῦσαι. Ἐπεὶ οὖν καὶ
Βάλβιλλος καὶ Οὐηστεῖνος ταῦτα ἀπέλυσαν, ἀμφοτέρων τῶν
ἐπάρχων ἐπικρίματα φυλάσσω⟨ι⟩ καὶ ἐκείνων κατηκολουθηκότων
τῆι | τοῦ θεοῦ Κλαυδίου χάριτι, ὥστε ἀπολελύσθαι τὰ μηδέπω⟨ι⟩
ἐξ αὐτῶν εἰσπραχθέντα, δηλονότι εἰς τὸ λοιπὸν τηρουμένης
αὐτοῖς τῆς ἀτελείας καὶ κουφοτελείας. . . . . . . . . . . . . . . . . . . §6
Ἀκόλουθον δέ ἐστιν ταῖς τῶν Σεβαστῶν | χάρισι καὶ τὸ τοὺς
ἐνγενεῖς Ἀλεξανδρεῖς καὶ ἐν τῆι [χώ]ραι διὰ φιλεργίαν κατοι-
κοῦντας εἰς μηδεμίαν [λειτουργίαν ἄγεσθαι, ὃ ὑμεῖς] | πολλάκις
μὲν ἐπεζητήσατε, καὐτὸς δὲ φυλάσσω⟨ι⟩, ὥστε μηδένα τῶν
ἐνγενῶν Ἀλεξανδρέων εἰς λειτουργίας χωρικὰς ἄγεσθαι. Μελήσει §7
δέ || μοι καὶ τὰς στρατηγίας μετὰ διαλογισμὸν πρὸς τριετίαν 35
·ἐνχ(ε)ιρίζειν τοῖς κατασταθησομένοις. . . . . . . . . . . . . . . . ||.Οὐκ 45
§10

ἀγνοῶ⟨ι⟩ δ' ὅτι πολλὴν πρόνοιαν ποιεῖσθε καὶ τοῦ τὴν
Αἴγυπτον ἐν εὐσταθείαι δια[μένειν,] ἐξ ἧς [ἃς εἰς τὸν βίον
ἅπαντα] | χορηγίας ἔχετε, ὅσα οἷόν τε ἦν ἐπηνωρθωσάμην.
Ἐνέτυχον γάρ μοι πολλάκις οἱ καθ' ὅλην τὴν χώραν γεωργοῦντες
καὶ ἐδήλωσαν ὅτι πολλὰ καινῶς κατεκρίθησα[ν, καίπερ
δῆλον ὂν ὅσα δεῖ | φέρειν] τελέσματα σιτικὰ καὶ ἀργυρικά,
καὶ οὐκ ἔξον τοῖς βουλομένοις εὐχερῶς καθολικόν τι καινίζειν.
Ταῦτα δὲ καὶ τὰ τοιαῦτα κατακρίματα οὐκ ἐπὶ τὴν Θηβαΐδα
μόνην [εὗρον ἐκτεινόμενα | οὐ]δὲ ἐπὶ τοὺς πόρρω⟨ι⟩ νομοὺς τῆς
κάτω⟨ι⟩ χώρας, ἀλλὰ καὶ τὰ προάστια τῆς πόλεως ἔφθασεν
τήν τε Ἀλεξανδρέων καλουμένην χώραν καὶ τὸν Μαρεώτην
[λαβεῖν. Διὸ κελεύω | το]ῖς κατὰ νομὸν στρατηγοῖς ἵνα εἴ
τινα καινῶς τῆι ἔγγιστα πενταετίαι τὰ μὴ⟨ι⟩ πρότερον τελούμενα
καθολικῶς ἢ⟨ι⟩ πληθικῶς νομῶν ἢ⟨ι⟩ τοπαρ[χιῶν ἢ κωμῶν
50 ............ || κα]τεκρίθη⟨ι⟩, ταῦτα εἰς τὴν προτέραν τάξιν
ἀποκαταστήσωσιν, παρέντες αὐτῶν τὴν ἀπαίτησιν, ἃ καὶ ἐπὶ
τὸν διαλογισμὸν ἀχθέντα ἐκ τῶν [......... ἐξαιρεθήτω. |
§ 11 Ἐξήτ]ασα δ' ἔτι καὶ πρότερον καὶ τὴν ἄμετρον ἐξουσίαν τῶν
ἐγλογιστῶν διὰ τὸ πάντας αὐτῶν καταβοᾶν ἐπὶ τῶι παραγράφειν
αὐτοὺς πλεῖστα ἐκ τῆ[ς ἰδίας ἐπιθυ|μίας·] ἐξ οὗ συνέβαινεν
αὐτοὺς μὲν ἀργυρίζεσθαι, τὴν δὲ Αἴγυπτον ἀνάστατον
γείνεσθαι. Καὶ νῦν τοῖς αὐτοῖς παραγγέλλω μηδὲν ἐξ ὁμοιώμα[τος
| ἐπι]γράφειν ἀλ[λ]αχῆι ἄλλο τι τῶν καθόλου χωρὶς τοῦ
κρεῖναι τὸν ἔπαρχον. Κελεύω⟨ι⟩ δὲ καὶ τοῖς στρατηγοῖς μηδὲν
παρὰ ἐγλογιστῶν μεταλαμβάνειν χωρὶς τῆ[ς ἀδείας | τοῦ]
ἐπάρχου. Καὶ οἱ ἄλλοι δὲ πραγματικοί, ἐάν τι εὑρεθῶσι ψευδὲς
ἢ⟨ι⟩ παρὰ τὸ δέον παραγεγραφότες, καὶ τοῖς ἰδιώταις ἀποδώσουσιν
55 ὅσον ἀπηιτήθησαν καὶ τὸ [ἴσον] || ἀποτ(ε)ίσουσιν εἰς τὸ
δημοσιον............ *(reliqui versus omissi sunt.)*

From Khargeh. This inscription is most important for a study of the policy of the imperial administration in attempting to correct abuses in the government of Egypt. The large number of similar edicts found in Egypt show that the problem of good administration was difficult even in a country under the direct supervision of the emperor. The edict is published in fifteen sections each dealing with a specific problem. In § 1 the prefect forbids the practice of compulsion in contracting for the collection of taxes and in the

leasing of public lands (*γῆ οὐσιακή*). For the difficulty in securing contractors for farming the taxes, see no. 167. A similar law prevailed in other parts of the empire (*Dig.* 39. 4. 9, 1; 49. 14. 3, 6), although in cases where no bidders were forthcoming former contractors were compelled to take the contract on the same terms as their original bid (*Dig.* 39. 4. 11, 5). In § 2 the prefect corrects an abuse which had developed in the capitals of the nomes where the local magistrates had been guilty of seizing the property of debtors and confining them in the public prisons, although the law forbade the distraint of a person for debt, unless he owed the imperial treasury. In § 4 we find that those who enjoyed immunity of various kinds and those who occupied lands such as the *γῆ προσόδου*, on which there was a lighter tax than on other imperial property, were deprived of their privileges by former governors. To citizens of these classes Julius confirms their former rights. In § 6 we learn that citizens of Alexandria resident in other parts of Egypt were exempt from local liturgies. The full liturgical system was not introduced into Egypt until later, and it is probable that, when it finally became a part of the Egyptian administrative policy, the Alexandrians were released from all local, but not from imperial, liturgies (*cf.* no. 173; p. 103). In §§ 10 and 11 the prefect forbids the superexactions imposed by officials in the nomes. The legal assessment and the quota of taxation was determined every fourteen years. Officials had arbitrarily increased the quota and had grown rich by appropriating the excess. They are ordered to restore the amount of their illegal extortions for the five years preceding the publication of the edict and to pay an equal sum to the public treasury.

## 166. DE CENSU *δωδεκαδράχμων*

(86–87 p. Chr.)

*P. Oxy.* 258, ll. 4–26; Wilcken, *Chrestomathie*, 216.

. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

*Διδύμου τῶν ἀπ' Ὀξυρύγχ[ων πόλεως] || ἐπ' ἀμβόδου Πυμενικῆς.* 5
*Κατὰ τὰ | κριθέντα ἐπὶ τῶν προσβεβηκότων | ἰς τρισκαιδεκα-*
*ετεῖς, εἰ ἐξ ἀμφοτέ|ρων γονέων μη[τ]ροπολειτῶν δω|δεκαδράχμων*
*ε[ἰσ]ίν, ἐτάγη ἐπὶ || τοῦ αὐτοῦ ἀμφόδου ὁ υ[ἱός μ]ου . . . .|ος* 10

μητρὸς Θεψεῖτος τῆς [Δι]δύμου | προσβέβηκεν εἰς τρισκαιδεκα[ετεῖ]ς | τῶι ἐνεστῶτι. (ἔτει) Αὐτοκράτ[ορος] | Καίσαρος Δομιτιανοῦ Σεβαστοῦ || Γερμανικοῦ. Ὅθεν πα[ρ]α[γενόμε]|νος ἰς τὴν τούτου ἐπ[ίκρισιν ⟨δηλῶ⟩ εἶ]|ναι ἐμὲ κατὰ τ. . . . . . . . . . . . . | καὶ τὸν τῆ[ς μη]τ[ρὸς αὐτοῦ πατέ]|ρα Δίδυμον . . . . . . . . . . . . . . || ἀναγραφόμενον ενο. . . . . . . . | ἐπ' ἀμφόδου [. . . . . . . .ος καὶ τε]|τελεύτηκε τ[ῶι . . . . . . ἔτει Νέρω]|νος καὶ ὀμνύ[ω Αὐτοκράτορα Καίσαρα] | Δομιτιανὸν Σε[βαστὸν Γερμανικὸν] || ἀληθῆ εἶναι [τὰ προγεγραμμένα]. | Ἔτους ἕκ[τ]ου [Αὐτοκράτορος Καίσαρος] Δομιτι[ανοῦ Σεβαστοῦ Γερμανικοῦ . . . . .]||

From Oxyrhynchus. The documents which deal with the registration of citizens, especially with the *epicrisis*, or scrutiny of those who claim more favored treatment, are important for the study of the different gradations in the status of the residents of Egypt. Distinctions of a similar kind are traceable in Asiatic towns (*cf.* pp. 75*f.*), but little is known of the status of the various classes outside of Egypt. The present state of our information in regard to the *epicrisis* is summarized by Grenfell-Hunt (*P. Oxy.* 1451, 1452. See the references to previous literature on the subject cited by them). The favored classes were veterans, Roman citizens with their freedmen and slaves, Alexandrians, and Graeco-Egyptians. The *epicrisis* in the case of Romans was held before the prefect or some official delegated by him for the purpose. It was not confined to the question of remission of poll-tax, but was a determination of the legal status of the individual. From the document which we publish here we learn that certain citizens of Oxyrhynchus enjoyed a lower rate of poll-tax (twelve drachmae) than that exacted from the rest of the citizens (forty drachmae). In this declaration the lad is thirteen years old, and he was registered at this age because the poll-tax was levied at fourteen. Both parents were citizens of Oxyrhynchus, and the father and maternal grandfather belonged to the twelve-drachmae class. In other towns the rate of poll-tax for the privileged class varied (Wilcken, *Grundzüge*, 199). From *P. Oxy.* 1452 it seems probable that οἱ ἐκ τοῦ γυμνασίου, or those belonging to a gymnasium, formed a larger class, and within this group the members who paid twelve drachmae were those who received a special remission for some reason which cannot at present be determined. The *epicrisis* of this class may be held before the strategus, the royal scribe, or others (*P. Oxy.* 1452, l. 2). *Cf.* Bell, *Archiv*, 6 (1920), 107 *ff.*

## 167. DE VECTIGALIBUS LOCANDIS

(ca. 81–96 p. Chr.)

*P. Oxy.* 44; Wilcken, *Chrestomathie*, 275.

[Πα]νίσκος ........λας στρατηγὸς Ὀξυρυ[γ]χ(ίτου) |
[Ἀσ]κληπιάδ[ηι βασιλικῶ]ι γραμμα(τεῖ) τοῦ αὐτοῦ νομοῦ |
χαίρειν. | Ἐπὶ τῆς γενομένης διαπράσεως τῶν τελωνι||κῶν ὑπὸ 5
τοῦ τε ἐμοῦ καὶ σοῦ ἐπὶ παρόντων καὶ | τῶν εἰωθότων, δυσπειθούν-
των τῶν τὸ ἐν|κύκλιον ἀσχολουμένων καὶ ⟨⟨τοῦ⟩⟩ τὸ ἀγο|ρανόμιον
δημοσιωνῶν ὡς ἱκανὰ βλαπτο|μένων καὶ κινδυνευόντων μετ-
αναστῆ||ναι, δόξαν ἡμεῖν ἔγραψα τῶι κρατίστωι | ἡγεμόνι περὶ 10
τοῦ πράγματος. Ἀντιγράψαν|τος οὖν αὐτοῦ μοι περὶ τοῦ ἐφ-
ιδόντα τὰς|π[ρο]τέρας μισθώσεις κατὰ τὸ δυνατὸν|[ἀνα]κουφίσαι
τοὺς τελώνας ὑπὲρ τοῦ μὴ || φυγ[ά]δας γενέσθαι τ[ο]ὺς πρὸς 15
β[ίαν] ἀ[γο]|μένους, καὶ πρότερόν σοι τὸ ἀντίγρ[αφο]ν | τῆς
ἐπιστολῆς μετέδωκα, ἵν' εἰδῇς, καὶ | ὅτι ἀποδημοῦντός σου καὶ
τῶν ὠνῶν | μὴ ἐπιδεδεγμένων ὑπὸ τῶν τελωνῶν || μηδὲ μὴν ἄλλων 20
προσερχ[ομ]ένων αὐ|τοῖς [[πολλάκις]] πολλάκις προκηρυχθει-
σῶν | ἔλαβον χειρογραφείας τῶν τε τὸ ἐν⟨⟨κυ⟩⟩|κύκλιον καὶ τὸ
γραφεῖον ἀσχολουμένων........

l. 15. πρὸς β[ίαν] ἀ[γο]μένους, Wilcken; προσβ[ιβ]α[ζο]μένους, Grenfell-Hunt.

From Oxyrhynchus. This document furnishes a commentary on the edict of Tiberius Julius Alexander. The tax on sales, which amounted to ten per cent., and the fee to the agoranomus for his services in drawing up contracts, etc. were farmed out to contractors. These had suffered such losses that they were likely to abscond when they were urged to renew their contract, since no bidders had appeared at the last offering. These contracts were let by the strategus and the royal scribe in conjunction. The strategus had written to the prefect concerning the present situation, and the latter had authorized him to examine the former contracts with a view to lightening the conditions in order that those who took the contract under compulsion might not be constrained to avoid the rigorous terms by voluntary exile (*cf.* no. 165).

## 168. EDICTUM GAI VIBI MAXIMI, PRAEFECTI

(104 p. Chr.)

*P. Br. Mus.* 3, 904, ll. 18–38; Wilcken, *Chrestomathie*, 202.

Γ[*άϊος* Οὐί]*βιο*[*ς* Μά*ξιμος ἔπα*]*ρχ*[*ος*] | Αἰ*γύπτ*[*ου λέγει.*] ||
20 Τ*ῆς κατ' οἰ*[*κίαν ἀπογραφῆς ἐ*]*νεστώ*[*σης*] | *ἀναγκαῖόν* [*ἐστιν*
*πᾶσιν τοῖ*]*ς καθ' ἥ*[*ντινα*] | *δήποτε αἰτ*[*ίαν ἀποδημοῦσιν ἀπὸ*
*τῶν*] | *νομῶν προσα*[*γγέλλε*]*σθαι ἐπα*[*νελ*]|*θεῖν εἰς τὰ ἑαυ*[*τῶν*
25 *ἐ*]*φέστια, ἵν*[*α*] || *καὶ τὴν συνήθη* [*οἰ*]*κονομίαν τῆ*[*ς ἀπο*]|*γραφῆς*
*πληρώσωσιν καὶ τῆι προσ*[*ηκού*]|*σηι αὐτοῖς γεωργίαι προσκαρ-*
*τερήσω*[*σιν*]. | Εἰ*δὼς μέντο*[*ι ὅ*]*τι ἐνίων τῶν* [*ἀπὸ*] | *τῆς χώρας*
30 *ἡ πόλις ἡμῶν ἔχει χρε*[*ίαν*] || *βούλομ*[*αι*] *πάντα*[*ς τ*]*οὺς εὔ*[*λ*]*ογον*
*δο*[*κοῦν*]|*τα*[*ς*] *ἔχειν τοῦ ἐνθάδε ἐπιμένιν* [*αἰ*]|*τίαν ἀπογράφε-*
*σ*[*θ*]*αι παρὰ βουλ* . . . . . . | Φ*ήστωι ἐπάρχω*[*ι*] *εἴλης, ὃν ἐπὶ*
35 *το*[*ύτωι*] | *ἔταξα, οὗ καὶ τὰς* [*ὑ*]*πογραφὰς οἱ ἀποδ*[*εί*]||*ξαντες*
*ἀναγκ*[*αίαν α*]*ὐτῶν τὴν παρου*[*σίαν*] | *λήψοντα*[*ι κατὰ τ*]*οῦ*[*τ*]*ο*
*τὸ παράγγελμ*[*α*] | *ἐντὸς* [*τῆς τριακάδος τοῦ ἐν*]*εσ*[*τ*]*ῶτος*
*μη*|*νὸς* 'Ε[*πεὶφ* . . . . . . . . . . . . . . *ἐ*]*πανελθεῖν* | *μεθ' ἧ*[*ς* . . . . . . .
. . . . . . . . . . . . . . . (*reliqui versus omissi sunt.*)

l. 20. [ἐ]νεστώ[σης], Wilcken; [συ]νεστώ[σης], Kenyon-Bell.
l. 34. [ὑ]πογραφάς, Wilcken; [ἀ]πογραφάς, Kenyon-Bell.

From Alexandria. In this edict the prefect orders all those absent from the place of their nativity to return for registration since the census was about to be taken. Many of these absentees were peasants, who had abandoned their farms and had gone to join the urban mob at Alexandria. They are ordered to return to their farms. An exception is made for a few whose services were needed in the city and these are permitted to register with Festus. *Cf.* no. 193; Rostowzew, *Gesch. d. röm. Kol.* 205 *ff.*; Wilcken, *Grundzüge*, 26 *ff.*, 65. Other documents which deal with this subject are *P. Gen.* 16; *P. Fay.* 24; nos. 174, 193, 194. *Cf.* Luke, 2, 3, for a similar law in Judaea at the time of the birth of Christ. This document is not only important for its bearing on the doctrine of *origo* (*ἰδία*), but also furnishes our earliest evidence for the urban movement in Egypt under Roman rule.

## 169. DE SUMPTIBUS *γυμνασιαρχίας* MINUENDIS
(114–117 p. Chr.)

*P. Amh.* 2. 70, col. 1; Wilcken, *Chrestomathie*, 149.

### Col. 1, Fragment A

*Φήλικι Κλαυδίωι Οὐίνδικι τῶι κρατίστωι ἐπ[ιστρ(ατήγωι)] παρὰ ἀρχόντων | Ἑρμοῦ πόλ(εως). Τοῦ κρατίστου ἡγεμόνος Ῥουτιλ[ίου Λο]ύπ(ου) κελεύσαντος | συσταλῆναι τὰ πολλὰ τῶν ἀναλωμάτων τῆ[ς γυ]μνασιαρχίας, ἵν[α οἱ] | καθιστ[α]νάμενοι προθυμότερον ὑπομέ[νωσ]ι τὸ ἀνάλωμα, || καὶ σοῦ δημοσίαι ἐπιτρέψαντος τοῦ ἀ[ναλώ]μα[τ]ος, ἃ ἐνεδέ|χετο, [σ]υσταλῆναι καὶ ταῦτα εκου..ι.......ς τοὺς νῦν | γυμνασιαρχεῖν μέ[λ]λοντας παρ..........λημμα καὶ τ[ὸ] | βαλανεῖον καὶ τὸ συνήθω[ς] διδόμ[ε]ν[ο]ν ὑ[π]ὲρ τιν...να.[ἀ]|πὸ τοῦ γυμνασίου εἰς τὸ δημ[ό]σιο(ν) χῶμα τ.....σδ..ων.. || λυχναψίας, ὥσπερ ὁ κατὰ το[ὺ]ς γυμνασι....ρ...εκαυ..... | κατὰ τὸ καθῆκον συσταλ[ῆναι] τὰ π[λε]ίω τῶν ὑπὸ του .. | ἐλάσσονος γινομένου αυτ..........τατος αν..ω ε.| ἑτέρας χρείας ἐδίδου ἀπὸ...... ..........ιθ...υ..|........στ...α..τουσ..............||*

### Fragment B

*] (δραχμαὶ) ξ ἀνθ' (ὧν) ἱκαναί εἰσιν [...*
*]τους (δραχμαὶ) τξ, μουσ[ικῶν? ...*
*].ησαι ὡς ἐπιμελητ( ) .α[...*
*]ωρατι. νεωκορ.ιας ουδ.[...*
*] (δραχμαὶ) τ...λης αλ( ) λέγομε[ν ||*
*] ἱκαναὶ (δραχμαὶ) τ. [λο]ιπ(αὶ) (δραχμαὶ) [...*
*] λοιπ(αὶ) (δραχμαὶ) σξ, καὶ ὑπὸ τοῦ.[...*
*] (δραχμαὶ) ʼΑ, αιτινε...συ φι[..*
*] ὑπὸ τοῦ ε.....του[..*

From Hermopolis. The gymnasiarch was a member of the college of archons in the metropolis. Evidently the cost of the office had become so great that it was difficult to fill it. Accordingly Rutilius issued an edict defining the amounts which should be spent in the various duties connected with the position. Unfortunately the papyrus is so badly mutilated that it is only possible to decipher references to the baths and to torch-lighting. At this period the office was probably held for one year and was shared by two or more who took the duties alternately (Oertel, *Die Liturgie*, 316 *ff.*). In the third century the office was held for a longer period, but each member of the college served only for short periods of a few days at a time (*P. Oxy.* 1413, 1418; Wilcken, *Chrestomathie*, 39. *Cf.* Oertel, *loc. cit.*; Preisigke, *St. Beamtenw.* 53 *ff.*; Jouguet, *Vie munic.* 166, 292 *ff.*, 318 *ff.*, 399 *ff.*).

## 170. EPISTULAE PETRONI MAMERTINI ET STATILI MAXIMI DE IMMUNITATE CIVIUM ANTINOOPOLITANORUM

(135, 156 p. Chr.)

Wilcken, *Chrestomathie*, 26.

I

*Πετρώνιος Μαμερτεῖνος Ὡρείωνι στρατηγῶι Θεινείτου χαίρειν. | Ἀντίγραφο[ν ἐπ]ιστολῆς γραφείσης [μ]οι ὑπὸ Δημητρίου .ο. . . . . τῶν ἰς | τὴν Ἀντι[νόο]υ κεκληρωμένων [ἐκ τ]ῆς Π[το]λεμαέω[ν] πόλεως τού|τοις τοῖς γρ[άμ]μασιν ὑπέταξα βουλόμενός σε φροντίσ[αι, ὅ]πως ο[ἵ] τε αὐ|τοῦ καὶ οἱ τῶν ἄλλων τῶν ἰς τὴν Ἀντινόου ἀπωικισ[μέ]νων ἀ[νύ]βρισ||τοι καὶ ἀνεπ[ηρ]έαστοι διάγωσιν ἐν τῶι νομῶι. (Ἔτους) ι̅θ̅ θεοῦ [Ἁ]δριανοῦ Φαρμοῦ|θι ι̅θ̅.*

II

*Στατείλιος Μάξιμος Ὁρείωνι στρατηγῶι Θεινείτου χαίρειν. | Ἔντυχε βιβλειδίωι δοθέντι μοι παρὰ Κάστορος Ἀφροδισίου, ὃι ἐγ||γέγραπ[τ]αι καὶ ἐπιστολὴ τοῦ κρατίστης μνήμης Μαμερτείνου, δι᾽ ἧς | οὐχ ὅπως τοὺς Ἀντινοέας, ἀλλὰ καὶ τοὺς αὐτῶν ἠθέλησεν [ἀν]υβρίσ|τους εἶν[αι, κ]αὶ ἴσθι, ε[ἰ το]ιοῦτον κλό[π]ι[ον (?) πρ]άξαις, δηλώσαντά με τῶι κρα|τίστωι ἡγεμόνι. (Ἔτους ι̅θ̅ θεοῦ Αἰλίου Ἀντωνίνου Μεσορὴ | ἐπαγομένων ᾱ.* (2nd H.) *Σεμπρώνιος ἐπι⟨δέ⟩δωκα. ||* (3rd H.) *Εἴ τινα δίκαια ἔχεις, τῶι στρατηγῶι παραθοῦ | καὶ τὰ δέοντα ποιήσει.* (4th H.) *Ἀπόδος.*

On the founding of Antinoopolis, *cf.* Jouguet, *Vie munic.* 115 *ff.* From this document we learn that citizens of Ptolemais were drafted by Hadrian for the settlement of Antinoopolis, and that the selection was made by lot. As compensation for this compulsory change of residence, not only the Antinoopolitans, but their parents, were exempt from liturgies which might be imposed upon them outside of their place of residence. Both letters imply that there was a disposition on the part of local officials to forget the grant made by Hadrian, probably because the pressure to secure available candidates for liturgies was already becoming severe. It is also evident that Ptolemais, although a Greek city, did not enjoy the favored position in Egypt which Alexandria had, nor is there any evidence that the administration of Ptolemais differed in any way from that of the ordinary Egyptian metropolis (Wilcken, *Grundzüge*, 48). At any rate its citizens were subject to the strategus of the nome in the matter of liturgies, as this document clearly indicates. *Cf.* no. 184.

## 171. DE VECTIGALIBUS EXIGENDIS A SENIORIBUS VICI

(136 p. Chr.)

*P. Br. Mus.* 2, 255; Wilcken, *Chrestomathie*, 272.

Σοκμῆνις Σοκμήνεως καὶ Ἀπίων | Ἡρακλείδου [καὶ] Ἁτρῆς
Πεθέως καὶ Ἀπολ|λώνιος Διοδώρου καὶ Πασόξις Ἡρᾶτος | καὶ
Ὡρίων Ὡρίωνος καὶ Πτολλίων || Χαιρήμονος καὶ Ἥρων Καλ- 5
λίου | καὶ Ἥρων Ἡρακλείδου καὶ Σαραπᾶς | Μύσθου καὶ οἱ
λοιπ(οὶ) πρεσ(βύτεροι) κώμης | Καρ(ανίδος) τοῦ κ′ (ἔτους)
Ἁδριανοῦ Καίσαρος | τοῦ κυρίου Ὡρίωνι Ὡρίωνος χα(ίρειν). ||
Ἐπὶ συνεστάκαμέν σοι ἀνθ᾽ ὑμῶ[ν] | πρακτορεύιν καὶ χιρίζιν 10
τήν δε | ζυτηρὰν καὶ φόρου προβάτων καὶ ἄλ|λων εἰδῶν τῆς
αὐτῆς κώμης, | ἐπρακτόρευσας καὶ ἐχίρισας μέ||[χ]ρι ἕως Φαῶφι 15
μηνὸς τοῦ κα (ἔτους) | καὶ αὐτοῦ τοῦ Φαῶφι, [τ]ὰς μὲν τῆς |
ζυτηρᾶς ἐπὶ τὴν δημοσίαν τράπε|ζαν, τὰς δὲ τοῦ φόρου τῶν
προβά|των εἰς [τ]ὴν ἐπὶ τούτοις τράπεζα[ν], || καὶ οὐδέν [σ]οι 20
ἐνκαλοῦμεν περὶ | τούτων. Πασόξις Ἡρᾶτος διὰ τοῦ | πατρ[ὸς]
Ἡρ[ᾶ]ς οὐδὲν ἐκαλῶ καθὼς π[ρόκ(ειται)]. | Ἀπ[ολ]λ[ώ]ν[ι]ος
Διοδώρου οὐδὲ[ν] | ἐν[κ]αλ[ῶ]. Ἀπίων Ἡρακλείδου || οὐδ[ὲν] 25
ἐνκαλῶ καθὼς πρό|[κ]ειται.

l. 10. Ἐπὶ=Ἐπεὶ; ὑμῶν=ἡμῶν. l. 11. δε=τε.

From the Fayûm. This document shows us that the elders of the village were required to collect certain taxes. In this case they have contracted with Horion to gather the tax on beer and the sheep-tax. At the end of his term he is given a formal release as prescribed by law. It is probable that the three men who give the release were those to whom the liturgy was assigned by the whole body of elders (Oertel, *Die Liturgie*, 146 *ff.*; Jouguet, *Vie munic.* 217 *ff.*). The assignment of the duties of a liturgy is frequently recorded in Egypt (Wenger, *Die Stellvertretung im Rechte der Papyri*, 75 *ff.*; *cf.* Wilcken, *Chrestomathie*, 263, 264), but in certain cases it seems to have been forbidden, *cf. P. Fior.* 382: p. 101.

## 172. DE CIVIBUS AD MUNERA SUBEUNDA NOMINATIS

(ca. 137 p. Chr.)

*BGU.* 235; Wilcken, *Chrestomathie*, 399.

[Οὐ]εγέτωι στρ(ατηγῶι) [Ἀρ]σι(νοΐτου) Ἡρ[ακλ(είδου) μερί-
δος] | παρ[ὰ] Π[ε]θέως [κω]μογ[ρ(αμματέως) . . . . καὶ ἄλλων] |
5 κ̣ωμῶν. | Ἀν[τὶ] Ἀφροδᾶ ἐπικ[αλουμένου . . . . . ] || ἔν[γι]στα πλη-
ροῦντος εἰς Φαμενὼθ κθ | καὶ Π[α]σ[ί]ων[ος] Ἀφροδισίου ἐπι-
κ(αλουμένου) Κέννις | καὶ Σ[α]βίνου Ἁρπάλου τ[ῶ]ν β̄ | ἔνγιστα
πληρούντων εἰς Παῦν[ι . . ] | καὶ Ἰσχυρίωνος Πετεσ[ούχου καὶ
10 . . . . ] || κουρ[έ]ως τετελ(ευτηκότων) τῶν [β̄ . . ]α· ἀπ[ὸ] | κώμ(ης)
Πτολεμαΐδος Νέ[ας ἀναδίδω]μι τοὺ[ς] | ὑπογεγρ(αμμένους) ὄντας
εὐπόρους καὶ ἐπιδηδίο[υς] | γνώμηι καὶ κινδύ[ν]ων τῶν ἀπὸ τῆς |
15 κώμης τῶν καὶ ἐνγυομέ[νο]υς κατὰ τὸ ἔ[θος] || πεμπθησομένους
τῶι κρα[τ(ίστωι) ἐπιστρ(ατήγωι) εἰς κλ(ῆρον)]. | Εἰσὶ δέ· |
Σαραπάμμων Τεβούλου ἔχ[ων πόρον . . . . . . ] | Προπελᾶς Προ-
20 πελάου[ ] | Εἰσχυρᾶς Πεθ[έ]ως . . [ ] || . . . . .
. . . . . . . ωνο[ς . . . . . . ] | Πα . . .

l. 13. *lege* κινδύνωι. l. 14. *lege* ἐγγυομένων.

From the Fayûm. This document reveals the method of appointment to liturgies in the villages at this period. Candidates were chosen by the elders, who were legally bound as sureties for their nominees. The list was drawn up by the village-scribe, who forwarded it to the strategus. From the latter official the names were forwarded to the epistrategus, who chose the candidates for the various offices by lot. It may be noted that Petheus serves as secretary for several villages. For the capital required for various liturgies, *cf.* Oertel, *Die Liturgie*; Wilcken, *Gr. Ostraka*, I, 507 *ff.*; *P. Giess.* 58. In some cases we find the liturgists appointed by the prefect (*P. Amh.* 64; *P. Br. Mus.* 1220).

## 173. DE STATU CIVIUM ROMANORUM ET ALEXANDRINORUM

(139 p. Chr.)

*BGU.* 747; Wilcken, *Chrestomathie*, 35.

Col. I

Ἀυϊδίωι Ἡλ[ιοδ]ώρωι τῶι κρατίστωι ἡγεμόν(ι) | Πτολεμαῖος [σ]τ[ρ]ατηγὸς Κοπτ[εί]του χαίρειν. | Τῶν κυριακῶν πραγμάτων, ἡγεμὼν μέγιστε, | ἐπιζητούντων ἐξαίρετον φροντίδα καὶ συνε||χῆ ἐπιμέλ[ι]αν καὶ δεδομένων εἰς τοῦ[τ]ο οὐ μ[ό]νον | ἀξιοχρέω[ν], ἀλλὰ καὶ ἀπιθηνίων μάλιστα ἀν|θρώπων, [οὐ] διέλιπον, κύριε, τοῖς ἐν ταῖς δημοσίαις | χρείαις το[ῦ ν]ομοῦ οὖσι Ῥωμαίοις καὶ Ἀλε[ξα]νδρεῦσι | κα[ὶ] πάλ[α]ι στρατιώταις ἀντιστατοῦσι τοῖς πράγ[μ]ασιν || παραινῶν πείθε[σθ]αι τοῖς κελευομένοις, καὶ οἰ|ό[μ]ενος με[τ]ανοή[σι]ν ἡμεῖν ἐπῖχό[ν] σοι τῶι κυ|ρίωι δηλῶσαι. Ἐπ[έ]μ[ε]νον δὲ [α]ὐτῶν κατὰ τὸ [ἀ]ναγ|καῖον ἐπιγόμενος ὑπὸ τῆς χρείας ἀναφέρ[ε]σθαι. | Τῶν γὰρ πραγμάτων τὸ μέγι[σ]τόν ἐστιν καὶ γνη||σ[ι]ώτερον [π]ολλῆς τε προε[δ]ρίας δεομένων | [αἱ ἀ]παιτή[σε]ις τῶν ὀφιλομέ[ν]ων τῶι κυριακῶι | λ[ό]γωι. Δι' ὅ[π]ερ ἐπα[γ]ρυπνῶ προσφ[ε]ρόμενος | τῆι ἐκπράξει καὶ [ὑ]πὸ χέρα καὶ πρ[ὸ]ς τὸ[ν . .] . ι | . . . . . ισμ[ὸ]ν κα[τὰ] μῆνα μετα[π]εμπόμ[εν]ος || [τ]οὺς πράκτορας δ[ι]ακρείνω π[ρ]ὸς τὸν ε[ἰ]σ[ι]όν[τ]|α ὑπὲρ [τ]ῆς ἰδί[α]ς πρακτωρί[α]ς λόγο[ν] α[ἰ|τ]ούμ[ε]να π[λ]η[ρ]οφορε[ῖ]ν ἐπ. κ. . . . υτ. . . ος | [ὀ]φείλω το[. . . . . ἐ]ξ αὐτῶ[ν. Ἐπ]ιχωρι. [π]ρ[ο]τρέπ . . . . . υ . . μ . . .

Col. II

ἄλλου χρείαι δημοσίαι ἐνχιρισθέντες | ἧι ὑπακούσειν ὀφίλουσιν κἀμοὶ | ἀπαιτοῦντι πίθεσται χαιρησάμενοι | ἑαυτο[ὺ]ς μὴ εἶναι ὑπὸ τὴν στρατηγίαν || μηδέ[π]ω κατὰ τὸ ἴσα τοῖς ἐνχωρίοις | πράκτωρσιν ὀφείλειν ἵστασθαι κἂν | ἐπιτιμητοι (?) αὐτοὶ εἶναι λέγοντες | τὸ ὅσον ὅτι αὐτοῖς τὰς ἐκπράξεις ἐν|ποδίζουσιν, ἐνιαχοῦ δὲ καὶ τολμῶσιν || ἀντίστασθαι καὶ καθόλου ὅσοι εἰσὶν |

τοιοῦτοι ἐν ταῖς λιτουργίαις μέχρι αὐ|θαδίας ἐπ[ι]χειροῦσιν φθάνειν ὡς | κα[ὶ τ]οῖς ἀπὸ τοῦ νομοῦ ὑπόδιγμα τῆς | ἀπειθίας δοκε[ῖ]ν ὑποτίθεται. Ἐπὶ οὖν || οὕτως τὰ κυριακὰ πράγματα ἐνπο|δίζεται, δέομαι, κύριε, οὐχ ὀλίγων | ἐκ τούτου κινδυνευομένων, ἐάν | σοι δόξηι, διαλαβεῖν περὶ αὐτῶν καὶ ὃ ἂν | δοκιμά[σηι]ς στῆσαι, τῶι τρόπωι προσ||έρχεσθαι αὐτοῖ[ς] δέον ἐστὶν εἰς τὸ μήτε | τ[ὴ]ν ἀπαίτησιν τῶν δημοσίων ἐμ|[ποδ]ί[ζ]ε[σ]θαι τ. . να κυριακ[ὰ π]ράγμ[ατα.|. . . κ]αιρῶι αν. . . . ι κ[α]ι. . . ι.|. . . . .

## Verso

Τῶν ἰς τὰς δημοσίας χρείας κατισταναμένων | καὶ μὴ βουλομένους ὁμοίως τοῖς ἄλλοις πρα|γματικοῖς ὑπακούειν δύνασαι παραστῆσαι | τῶι κρατίστωι ἐπιστρατήγωι, ὃς ἐπ[α]ναγκάσει || αὐτοὺς τὰ προσήκοντα αὐτοῖς ἐκτελεῖν. | (Ἔτους) β̅ Φαρμοῦθι δ̅.

From Coptus. The Alexandrians were exempt from χωρικαὶ λειτουργίαι (no. 165). It is evident that Romans resident in Egypt were also freed from similar liturgies, and their privileged position led these two classes to claim exemption from the imperial liturgies as well. Apparently Ptolemaeus was unable to compel them to undertake the duty of collecting the taxes due to the imperial *fiscus*, and their disobedience was demoralizing to the discipline of the nome. The prefect instructed the strategus to send the names of those nominated to liturgies to the epistrategus, who will compel them to discharge their duties. The only evidence for a Roman citizen discharging a liturgy in Egypt is found in *BGU.* 1062. In this case, however, he takes over the collection of a tax as a business contract from the holder of the liturgy. In *P. Fior.* 57 an Alexandrian owning property in Hermopolis claims immunity on the ground of his age and not on the basis of his Alexandrian origin. His petition is dated in 223–225, or later than the edict of Caracalla, and it is probable that the grant of Roman citizenship may have done away with the favored position which the Alexandrians held. The citizens of Antinoopolis, however, retained their privileges until later (Wilcken, *Chrestomathie*, 397 (A.D. 254). *Cf.* Wilcken, *Grundzüge*, 345 *f.*).

## 174. DE IMMUNITATE MEDICORUM

(140 p. Chr.)

*P. Fay.* 106; Wilcken, *Chrestomathie*, 395.

. . . . . . . . . . ὑπομνη]|μ[α]τισμ[ὸ]ν Σεπ[τιμίου Μάρκωνος
ἐπι]|στρατήγου κεχρυν[ι]σμένον [εἰς . . (ἔτος)] | Ἀντωνίν[ο]υ
τοῦ κυρίου Φαρμοῦ[θι. .], || Ἡλιόδωρος εἶπεν· Κέκρικε[ν. . . .] | 5
ἀπολύσας. |

Γαΐωι Ἀουιδίωι Ἡλιοδώρωι ἐ[πάρχ(ωι) Αἰγ(ύπτου)] | παρὰ
Μάρ(κου) Οὐαλερ[ί]ου Γεμέλλου [ἰατροῦ]. | Παρὰ τὰ ἀπηγορευμένα
ἀχθ[εὶς εἰς ἐπι]||τήρησιν γε[ν]ημα[τ]ογραφουμ[ένων] | 10
ὑπαρχόντ[ων πε]ρὶ κώμα[ς Βακχ(ιάδα)] | καὶ Ἡφαιστιάδα τῆς
Ἡρακλ[είδου] | μερίδος τοῦ Ἀρσινοΐτου τ[ετραε]|τεῖ ἤδη χρόνωι
ἐν τῆι χρ[είαι] || πονούμενος ἐξησθένησα [ὅλως(?)], | κύριε, ὅθεν 15
ἀξιῶ σαὶ τὸν σω[τῆρα] | ἐλεῆσαί με καὶ κελεῦσαι ἤ[δη με] |
ἀπολυθῆναι τῆς χρείας, ὅπ[ως δυ]|νηθῶ ἐμαυτὸν ἀνακτήσα[σθαι
ἀ]||πὸ τῶν καμάτων, οὐδὲν δ[ὲ δεῖ.(?).] | τὸν καὶ ὁμοιώμ[ατα] 20
ὑποτάξα[ι, ὅτι] | τέλεον ἀπολύονται τῶν [λειτουρ]|γιῶν οἱ τὴν
ἰατρικὴν ἐπιστή[μην] | μεταχειριζόμενοι, μάλ[ι]στα [δὲ οἱ δε]||δοκιμασμένοι
ὥσπερ κἀγ[ώ, ἵν᾽] | ὦ εὐεργετημένος. Διευτύ[χει]. 25

From the Fayûm. The petition of the physician Gemellus is directed to the prefect. Wilcken infers that the edict of Antoninus conferring immunity on a certain number of physicians in each town had not yet been promulgated (*Dig.* 27. 1. 6, 2; Wilcken, *Chrestomathie*, 395), but Gemellus points out that he had been assigned to the liturgy contrary to law (παρὰ τὰ ἀπηγορευμένα), and in ll. 29 *ff.* he adds that there is no need for him to submit copies of the law(?) that physicians, if registered (δεδοκιμασμένοι), are absolutely exempt from liturgies (*cf. P. Oxy.* 40; Oertel, *Die Liturgie*, 391). It may be noted that the liturgy of guardian of the confiscated lands was held by Gemellus for four years instead of one, which was apparently the period of tenure of liturgies in other parts of the empire, and that the liturgy had cost him the loss of his personal fortune (ἐξησθένησα). For a general sketch of the classes which enjoyed immunity, *cf.* Jouguet, *Vie munic.* 98 *ff.*

## 175. EDICTUM M. SEMPRONI LIBERALIS, PRAEFECTI AEGYPTI

(154 p. Chr.)

*BGU.* 372; Wilcken, *Chrestomathie*, 19.

### Col. I

[Μᾶ]ρκος [Σεμπρώνιος] Λιβερ[ᾶλι]ς ἔπαρ[χος] | Αἰγύπ[του λέγ]ει. | Πυνθάνομ[αί τινας] διὰ τὴν γενομένην δυσ|χέρειαν [τ]ῶ[ν] . . . . . [τὴν] οἰκείαν ἀπ[ολε]λοιπέναι ἀλλα||χ . ει (?) τὰ προσ[. . . . .]πορίζοντας, ἑτέρους δὲ λιτουρ|[γεία]ς τινὰς ἐ[κφυγόντας] διὰ τὴν [τ]ότε περὶ αὐ|τοὺς ἀσθένειαν ἐν ἀλλοδαπῆι ἔτι καὶ νῦν διατρεί|βειν φόβωι τῶν γενομένων παραυτίκα προ|γρ[α]φῶν. Προτρέ[πομαι] οὖν πάντας ἐπαν[ελθ]εῖν || ἐπὶ τὰ ἴδια καὶ τὸ[ν μὲν π]ρῶτον καὶ μέγιστ[ον] | κ[α]ρπὸν τῆς εὐετ[ηρίας κ]αὶ τῆς τοῦ κυρίου ἡμῶν | Α[ὐτο]κράτορος περὶ πάντας ἀνθρώπους κη[δε]|μονίας ἀποφέρεσθαι [καὶ] μὴ ἀνεστίους καὶ ἀο[ί]|κ[ου]ς ἐπὶ ξένης ἀλᾶσθα[ι. Ἵ]να δὲ τοῦτο προθυμ[ότ]ε||ρο[ν] κα[ὶ] ἥδιο[ν π]ο[ιή]σω[σιν, ἴ]στωσαν [μ]ὲν τ[ὸ]ν π . . . ι | τ . . ἐκ ταύτ[ης] τῆς αἰτ[ίας ἔ]τι κατεχόμενον α[ἰσ]|θήσεσθαι τῆ[ς] τοῦ μ[εγίσ]του Αὐτοκράτορος εὐ[μ]ε|ν[εί]ας καὶ χρη[σ]τότητος, ἐ[πι]τρεπούσης καὶ μ[ηδ]ε|μίαν πρὸς α[ὐ]τοὺς ζήτησιν ἔσεσθαι, ἀλλὰ μηδ[ὲ] || πρὸς τοὺς ἄλ[λο]υς τοὺς ἐ[ξ] ἧς δήποτε αἰτίας ὑπὸ | τῶν στρατη[γῶν] προγραφέντας· καὶ τούτους γὰρ | . . . . . . . . . κατέρχ[εσθαι] εἰς τ[οὺς τό]πους . . . *reliqui versus, maxime mutili, omissi sunt.*

### Col. II

. . . ουτω . . . δὲ ἑκό[ν]τας ἀπ[ο]δρᾶσι πονη|ρ[ὸν κ]α[ὶ] ληισ[τ]ρικὸν βίον [ἑ]λομ[έ]νοις μείγνυσ|θ[αι]. Ἵνα δὲ μὴ μόνον το[ύτ]οις, ἀλλὰ [κ]αὶ ἑτέ[ρ]οις | ταῦτά με παραινεῖν καὶ πράσσειν μάθωσι, || ἴστωσαν, ὅτ[ι] κ[α]ὶ τοῖς κρατίστοι[ς] ἐπιστρατήγοις | καὶ τοῖς σ[τ]ρατηγοῖς καὶ τοῖς πε[μ]φθεῖσι ὑπ᾽ ἐμ[οῦ] | πρὸς τὴν τῆς χώρας ἀσφάλειαν καὶ ἀμεριμνίαν | στρατιώταις παρήγγελ[τ]αι, τὰς μὲν ἀρχομένας | ἐφόδους κ[ω]λύειν, προορῶντας καὶ προαπαν||τῶντας, τὰς [δὲ γ]ενομένας παρ[α]υτίκα ἐπιδιώ|κειν κα[ὶ] το[ὺς] λημφθέντας ἐπ᾽ αὐτ[ο]φ[ώρ]ωι κα|κούργους μ[η]δὲν περαιτέρω τῶν ἐν αὐτῆι τῆι | ληιστείαι γενο[μ]ένων ἐξετάζειν, ἄλλοις δὲ τῶν πο|τε προγραφ[έ]ντων ἡσυχάζουσι καὶ ἐν τῆι οἰ||κείαι τῆι γεω[ργ]ίαι προσκαρτεροῦσι μὴ ἐνοχλεῖν. | Κατερχέ-

[σ]θωσαν οὖν ἀμ[έ]ριμνοι καὶ ἔστω | π[ρο]θεσμία [αὐτο]ῖς, ἐξ οὗ ἂν τοῦτ[ό] μου τὸ διάτα|γ[μ]α ἐν ἑκά[στ]ωι νομῶι προτεθῆι, μῆνες γ. | Ἐ[ὰ]ν δέ τις [με]τὰ τὴν τοσαύτην μου φιλαν||θ[ρ]ωπίαν [ἐ]πὶ ξένης πλανώμενος φανῆι, | οὗτος οὐκέ[τι] ὡς ὕποπτος, ἀλλὰ ὡς ὁμόλογος | κακοῦργος σ[υ]νλημφθεὶς πρός με ἀναπεμ|φ[θήσε]ται. | (Ἔτους) [ι]η Ἀντωνίνου τοῦ κυρίου. || Θὼθ α.

l. 16. Καρτερχέ[σ]θωσαν, in original copy.

From the Fayûm. This edict was issued after the revolt of the Egyptians in A.D. 153–154 had been crushed (Meyer, *Klio*, 7 (1907), 124 *f.*). Some had left their homes because of the political upheaval, others had been driven forth because of the severity of the liturgies. The latter had been proscribed (προγραφέντων), since they were liable to imprisonment (cf. no. 194). The document reveals the oppressiveness of the liturgies at this early period, since property-holders were abandoning their property and living in exile rather than face the burdens imposed upon them, *cf.* Rostowzew, *Gesch. d. röm. Kol.* 206 *ff.*

## 176. DE IMMUNITATE PATRIBUS ANTINOOPOLITANORUM CONCESSA

(159 p. Chr.)

*Compt. rend. de l'acad. d. inscr. et bell. lett.* 1905, 160 *ff.*; Wilcken, *Chrestomathie*, 28.

Ἀντίγρα(φον) ἐπιστολ(ῆς) ἐπιστρα(τήγου) Θηβαΐδος. | Αἴλιος Φαυστεῖνος στρα(τηγῶι) Λυκοπ(ολίτου) | χαίρειν. | Βιβλίδιον Ἀπολλοφάνους Ὡρί⟨⟨ω⟩⟩||ωνος σημιωσάμενος πεμφ|θῆναί σοι ἐκέλευσα. Ἐπεὶ | οὖν φησιν πατέρα ἑαυτὸν | ὄντα παίδων Ἀντινοϊτικῶν | κα[ὶ ο]ὐ τὰ [ἐ]πικεφάλια τελοῦν||τα κεκληρῶσθαι κατ' ἄγνοι|αν ὑπὸ Ξεινοκράτους εἰς πρα|κτορείαν κα[τ]ακριμά[τω]ν | καὶ νῦν ἐπιδημήσαντα . . . | πρὸς διόρθωσιν δημοσίω||ν κατεσχῆσθ[αι . .]τοε . . . | χρείαι. Φρόντισον, εἰ ταῦτα [οὕ]|τως ἔχει, καθ' ἃ παρέθετ[ο] | ἐφ' ὁμοίων κεκρίσθαι, τ[οῦ] | ἕτερα ὀνόματα ἀντ' αὐτοῦ || εἰς τὴν χρέαν πέμψαι. | Ἐρρῶσθ(αί σε) εὔχο(μαι). | (Ἔτους) κβ Ἀντωνείνου Καίσαρος | τ[οῦ] κυρίου Παχὼν δ̅.

This document shows that parents of the settlers in Antinoopolis were exempt from the poll-tax and from liturgies which might be imposed on them in villages where they held property outside the limits of their native place (*cf.* nos. 170, 183).

## 177. DE IMMUNITATE VETERANORUM

(172 p. Chr.)

*BGU.* 180; Wilcken, *Chrestomathie*, 396.

. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

*παρὰ [Γα]ΐου Ἰ[ου]λ[ίου Ἀπολ]ινα[ρίο]υ οὐ[ε]|τρανοῦ γε[ο]υχ[ο]ῦ[ντος ἐν] κώμηι* Κα[ρα]|*νίδι. [Δ]ιατέτακ[ται, κ]ύριε, τοὺ⟨ς⟩ οὐετρα|νοὺς ἔχειν μετὰ τ[ὴν ἀπό]λυσιν πεντ[α]||ετῆ χρό[ν]ον ἀναπ[αύσε]ως. Παρὰ δὴ ταύ|την τὴν [δι]άτ[α]ξιν ἐ[γὼ] ἐπηρεάσθην | μ[ε]τὰ διετίαν τῆς [ἀπο]λύσεως κα[ὶ] | ἀ[ν]εδόθην κατ' ἐπή[ρια]ν εἰς λειτουργίαν | καὶ μέχρι τοῦ δεῦρο [κ]ατὰ τὸ ἑξῆς || ἐν λειτουργίαι εἰμ[ὶ] ἀδιαλεί[πτ]ως. |* Τ*οῦ τοιούτου παντ[ὶ] ἀπηγορευ|μένου [ἐ]πὶ τῶν ἐν[χ]ωρίων πολλῶι | πλεῖον ἐπ' ἐμοῦ συντηρεῖσθαι | ὀφείλι τοῦ ὑπηρετήσαντος τὸν || τοσοῦ[το]ν τῆς στρατείας χρόνον. | Διόπερ προσφεύγειν σοι ἠναγκήσ|θην δικαίαν δέ[ησ]ιν ποιούμενος | καὶ ἀξιῶ συντηρῆσαί μοι τὸν τῆς | ἀναπαύσεως ἴσον χρόνον κατὰ ⟨τὰ⟩ || περὶ τούτου διατεταγμένα, ἵνα δυνηθῶ | κἀαγὼ τ[ὴ]ν ἐπιμέλειαν τῶν ἰδίων | ποιεῖσθαι, ἄ[ν]θρ[ω]πος πρεσβύ[τη]ς καὶ | μόνος τυγχ[άν]ων, [κ]αὶ τῆι τύχηι σου | εἰς ἀεὶ εὐχαριστῶ. Διευτύχει.* || (2nd H.) *Γάϊος Ἰούλιος Ἀπολινάριος ἐπιδέδωκ|κα.* | (3rd H.) (*Ἔτους*) *ιβ″ Μεχεὶρ κθ.* | (4th H.) Τ*ῶι σ[τρατη]γ[ῶι] ἔντυχ[ε] καὶ τὰ | πρ[οσήκο]ντα ποιήσει.* || (5th H.) Ἀ[*πόδος*].

From the Fayûm. An edict of Octavian (Wilcken, *Chrestomathie*, 462) and of Domitian (*ibid.* 463) granted immunity to veterans apparently without restrictions. From the petition of Apolinarius we learn that veterans in Egypt at this period only enjoyed immunity for five years after their discharge. In his case, he had been beguiled into taking a liturgy two years after his release from the army and he had held it continuously without any *vacatio* such as the natives had (*Cod. J.* 10. 41. 1; *P. Giess.* 59, where *vacationes* of three and seven years are recorded). There is no other evidence in any part of the empire for limitation of the period of immunity to five years. By an edict of Severus veterans were forever freed from all liturgies except those imposed upon their patrimony (*Dig.* 50. 5. 7). It is probable that Apolinarius, being a property-holder, enjoyed immunity from *munera patrimoniorum* for a period of five years. Under Severus this privilege was withdrawn (*cf.* pp. 106 *f.*).

## 178. DE MUNERIBUS SACERDOTUM

(177 p. Chr.)

*BGU.* 194; Wilcken, *Chrestomathie*, 84.

Φλα[υ]εί[ω]ι Ἀπολ[λ]ωνίωι | Ἀρσινοείτου Ἡρακ(λείδου) μερίδος | παρὰ Ἡρᾶ κωμογρα(μματέως) Νείλου πόλεως. | Ἀντὶ Ὤπεως Ἐνούπεως κλη[ρ]ωθ(έντος) || ἐκ τῆς τῶν εὐσχημόνων γραφῆς | εἰς πρακτορίαν ἀργυρικῶν τῆς κώμης | γνωσθέντος μοι εἶναι ἱερέως τοῦ ὄντος | ἐν τῆι κώμηι ἱεροῦ καὶ τῶν λειτουργιῶ[ν] | ἀφεθέντων, καθὰ ἠξίωσαν οἱ ἀπὸ τῆς κώ||μης ἀναδεξάμενοι ἐκ συνκαταθέσεως τὰς | λειτουργείας ἐπιβαλλούσας αὐτοῖς ἐκτελέσειν, ἀ[κ]ολούθως | τῶι παρακομισθ[έ]ντι σοι βιβλιδίωι μ[ου] ἐπὶ ὑπο|γραφῆς τοῦ κρατίστου ἐπιστρα(τήγου), ὧι ἐνπεριεί|λημπται ἀντίγρ(αφα) ἐπιστολῶν δύο, μειᾶς μὲν || Σκουτίωι Ἀσκληπιαδότωι, τὴν δὲ ἑτέραν σοῦ, | καθ' ἃς ἀντὶ ἑτέρου ἱερέως ἀπολυθέντο(ς) | ἕτεροι εἰς κλῆρον πεμφθέντος ἐκλη|ρώθησαν, καὶ τοῦ ἐκ συνκαταθέσεως τῶν | ἀπὸ [τ]ῆς κώμης γενομένου ἐπὶ Ποτάμωνος || στρατηγήσαντος ὑπομνηματισμοῦ δίδωμει | τοὺς ὑπογεγρ(αμμένους) ὄντος εὐπόρους καὶ ἐπι|τηδείους πεμφθησομένους εἰς κλῆρον τῶι | κρατίστωι ἐπιστρ(ατήγωι). Εἰσὶ δέ· Σαραπίων Καλ. . .υ Α, | Διόσκορος Νείλ(ου) ἐπικαλ(ουμένου) Ο[. . . .] Α· || (Ἔτους) ιη' $\overset{\lambda}{o}$ Ἀθὺρ α[ ].

l. 17. πεμφθέντος=πεμφθέντες. l. 21. ὄντος=ὄντας.

From the Fayûm. Rostowzew (*G.G.A.* 1909, 639 *ff.*) has pointed out that, under the Roman administration, the privileges of the priestly hierarchy were steadily reduced. From this document we learn that the priests were subject to certain liturgies, but they had made a private agreement with the village-officials of Neilopolis whereby the latter had consented to release them from certain burdens. The terms of the agreement are not stated, but we must assume that the priests had secured it by offering some form of compensation. Opeus had been included in the annual list of citizens submitted for the collection of tribute, and when the appointment had been made by the usual method his name had been drawn for the office. The matter was brought to the attention of the village-scribe, who wrote this letter to the strategus, notifying him of the error and submitting the names of two other men having an annual income of a thousand drachmae, one of whom was to be chosen by lot for the post vacated by Opeus. On the liturgy *πρακτορία ἀργυρικῶν*, *cf.* Oertel, *Die Liturgie*, 195 *ff.*, and for the immunity of priests, *cf. ibid.* 392, n. 3; Otto, *Priester und Tempel*, 2, 250 *ff.*

## 179. DE IMMUNITATE MULIERUM

(ca. 180 p. Chr.)

*P. Teb.* 327; Wilcken, *Chrestomathie*, 394.

[Οὐ]εττίωι Τού[ρβων]ι τῶι | κρατίστωι [ἐ]πιστρατ[ήγωι] | παρὰ Κρονοῦτο[ς] Ζωίλ[ου] | τ[ο]ῦ Πετεσούχου ἀπὸ κώμης || [Τε]βτύνεως Πολέμωνος | με[ρίδος] τοῦ Ἀρ[σ]ινοείτου. | Ἔτι πάλαι, κύριε, τοῦ προγεγραμ|μένου μου πατρὸς ἀναδο|θέντος εἰς ἐπιτήρησιν γε||[ν]ηματογραφου[μέ]νων | [ὑ]παρχόντων καὶ μετὰ τὸν | [ὡ]ρισμένον χρόνον τῆς | [ἐ]πιτηρήσεως τετελευτη|κότος ἀπ[όρου] μηδὲ ἓν κα||ταλείπ[οντο]ς ἔτι ἀπὸ τοῦ | τρισκαιδεκάτου ἔτους | θεοῦ Αὐρηλίου Ἀντωνίν[ου] | αὐτὴ ἔκτοτε οὐ δεόντως | ἀπαιτοῦμα[ι] τὰ ὑπὲρ τῶν || ὑπαρχόν[τω]ν τελούμενα | δημόσια. [Κε]κελευσμένου | οὖν, κύριε, γ[υ]ναῖκας ἀφεῖ|σθαι τῶν τ[οιο]ύτων χρειῶν | ἀναγκαίω[ς] [γ]υνὴ οὖσα ἀβοή||θητος πο[λλο]ῖς ἔτεσι βεβα|ρημένη [καὶ] κινδυνεύουσα | διὰ τοῦτ[ο κατ]αλείπειν τὴν | [ἰ]δίαν [ἐπὶ σὲ] καταφεύγω | [ἀξιοῦσά σε κ]ελεῦσαι ἤδη || [τὰ ἐν ὀνόμ]ατι τοῦ πατρὸς | . . . . . . . . . θῆναι εἰς τὴν | . . . . . . . . . ν καὶ ἐπὶ ζῶν | [τ . . . . . . . . ]ους χρόνου ον | . . . . . . . . . μενου τοῖς ἐν || . . . . . . . . . ε. Διευτύχει. | (2nd H.) (Ἔτους) [. . . . Μ]εσορὴ ι. | Μηδενὸς [ἐπε]χομένου | τῶι στρατ[ηγ]ῶι ἔντυχε. | (3rd H.) Ἀπόδος.

From the Fayûm. The father of the petitioner had been appointed to the post of superintendent of confiscated property, and in the discharge of this liturgy his fortune had been seriously impaired. His daughter Cronous, as his heiress, complained to the epistrategus that continual demands had been made upon her since her father's death for moneys to be paid in connection with this liturgy. It is not clear whether she was actually holding the liturgy, or whether these sums were exacted from her estate as obligations which her father had not fulfilled before his death. For the liability of heirs, *cf.* Wilcken, *Chrestomathie*, 278, where the estate of a decaprotus is certainly liable for the obligations of the holder of the liturgy (*cf.* Oertel, *Die Liturgie*, 374, n. 4). It is probable that Cronous was purposely obscuring the issue in her petition, and that she was not actually discharging the liturgy, since she claimed that there was an edict which forbade the assignment of such liturgies to women. Women, however, were not exempt from *munera patrimoniorum* (*Cod. J.* 10. 42. 9; 10. 64. 1).

## 180. DE FUGA EORUM QUI MUNERIBUS OBNOXII SUNT

(186 p. Chr.)

*P. Geneva*, 37; Wilcken, *Chrestomathie*, 400.

Ἀπολλωτᾶι στρα(τηγῶι) Ἀρσι(νοΐτου) Ἡρακ(λείδου) | μερίδος | παρὰ Σωτηρίχου Σώτου καὶ τῶν | λοιπ(ῶν) πρεσβ(υτέρων) διαδεχο(μένων) καὶ τὰ κατὰ τὴν ‖ κωμογρα(μματείαν) κώ(μης) Σοκνοπ(αίου) Νήσου. | Ἀντὶ Τρύφωνος Σεμπρωνίου | [κ]αὶ Παουῆτις Πεκᾶτος καὶ Πνεφερῶτο(ς) | Σώτου καὶ Ἁρπαήσεως Ἁρπαγάθου | [τ]ῶν δ̅ ἐ[ν] κλ[ή]ρωι πρακ(τορίας) ἀργυρι(κῶν) ‖ [τ]ῆς προκει(μένης) κώ(μης) μὴ φαινομένων | δίδομεν τοὺς ὑπογεγρα(μμένους) ὄντας εὐπό|ρους καὶ ἐπιτηδείους, πεμφθησομένους | εἰς κλῆρον τῶι κρατίστωι ἐπιστρα(τήγωι). |

Εἰσὶ δέ· ‖

Σάτυρος Ἀσκληπιάδου ἔχω(ν) πό(ρον) (δραχμῶν) ω
Σώτας Σώτου ἐπικαλ(ούμενος) Ἀσίαρξ ὁ(μοίως δραχμῶν) ω
Παβοῦς Παβοῦτος ὁμοίως (δραχμῶν) ψ
Στοτοῆτις Σώτου λαξὸς ὁ(μοίως δραχμῶν) ψ
(2nd H.) Σωτήριχος (ἐτῶν) ν′ οὐλ(ὴ) μετώπ(ωι) ‖
ἐξ ἀριστ(ερῶν)
(1st H.) (Ἔτους) κϛ′ Μάρκου Αὐρηλίου Κομμόδου
Ἀντωνίνου Καίσαρος τοῦ κυρ(ίου). Ἐπεὶφ κϛ′.

From the Fayûm. This document reveals the great distress caused by the imposition of liturgies. Four men, chosen by lot for the collection of taxes in the village of Socnopaei Nesus, had fled to escape the liturgy. The village-elders submitted the names of four others to be sent to the epistrategus. It may be noted that no choice by lot is possible, and it is probable that the elders were unable to submit enough names to permit a choice (*cf.* pp. 112 *ff.*; Rostowzew, *Gesch. d. röm. Kol.* 206 *ff.*; nos. 189, 194).

## 181. DE NOMINATIONE MAGISTRATUUM

(192 p. Chr.)

*P. Ryl.* 77, ll. 32–52.

32 Καὶ ἀντίγ[ραφον ὑπο]μνήματος· με[. . . . . δη]μόσια πρὸς τῶι β[ήματι] παρόντων τῶ[ν ἐνάρ]χων Δίου γυμ[ν]ασιάρχου Διονυσίου | [το]ῦ καὶ . . . νθεου ἐξηγήτου, Ὀλυμ[πιο]δώρου προδίκου, Ἀπολ[λων]ί[ο]υ Ἡρακλαπόλλων[ος γυ]μνασιαρχ(ήσαντος) καὶ Ἀχιλ[λέως] Κορνηλίου, τῶν π[αρ]εστώτων ἀπὸ τῆς πόλεως ἐπιφωνη|[σ]άντων· στεφέσθω Ἀχιλλεὺς κοσμητείαν· μιμοῦ τὸν πα[τ]έρα τὸν φιλότιμον τὸν [γ]έροντα φῶτα. Ἀχιλλε[ὺ]ς εἶπεν·

35 πειθόμενος τῆι ἐμαυτοῦ πατρίδι ἐπιδέχομαι στεφα‖[νη]φόρον ἐξηγητείαν ἐπὶ τῶι ἐτήσια εἰσφέρειν με τάλαντα δύο καὶ ἀπαλλαγῆναι ἐπιτηρήσεως διαμισθουμένης γῆς. Ὀλυμπιόδωρος εἶπ(εν)· ἡ τύχη τοῦ κυρίου ἡμῶν | Αὐ[το]κράτορος ἀφθόνως ἀρχὰ[ς] παρέχει καὶ τῆς πόλ(εως) αὐξάνε[ι] τὰ πράγματα, τί τ' οὐκ ἤμελλεν ἐπὶ τῆι ἐπαφροδείτωι ἡγεμονίαι Λαρκίου Μέμορος; Εἰ μὲν οὖν ὁ Ἀχιλλεὺς | βούλεται στεφανωθῆναι ἐξηγητείαν, εἰσενεγκάτω τὸ ἰσητήριον ἐντεῦθεν, εἰ δὲ μή, ⟨οὐχ⟩ ἧττον ἑαυτὸν ἐχειροτόνησεν εἰς τὴν κατεπείγουσαν ἀρχὴν κοσμητεί|αν. Ἀχιλλεὺς εἶπ(εν)· ἐγὼ ἀνεδεξάμην ἐξηγητείαν ἐπὶ τῶι κατ' ἔτος δύο τάλαντα εἰσφέρειν, οὐ γὰρ δύναμαι κοσμητείαν. Ὀλυμπιόδωρος εἶπ(εν)· ἀναδεξάμενος | τὴν μείζονα ἀρχὴν οὐκ ὀφείλει τὴν ἐλάττον' ἀποφεύγειν. Ἀμμωνίων Διοσκόρου ὑποτυχὼν εἶπ(εν)· πάσης

40 τῆς ἐνεστώσης ἔτυψέ με ὁ Ἀχιλλεὺς καὶ αὐτὰ ταῦτα ‖ ἀσφαλίσομαι διὰ τῶν σῶν ὑπομνημάτων ὅτι καὶ ἐντυγχάνω τῶι λαμπροτάτωι ἡγεμόνι περὶ τῆς ὕβρεως. Ἀχιλλεὺς εἶπ(εν)· οὔτε ἔτυψα αὐτὸν οὔτε ὕβρισα. | Σαραπίων ὁ καὶ Ἀπολλώνιος στρ(ατηγὸς) εἶπ(εν)· ἃ μὲν εἰρήκατε γέγραπται, μεταπεμφθήσονται δὲ καὶ οἱ

*κοσμηταὶ ἵνα ἐπὶ παροῦσι αὐτοῖς αὐτὰ ταῦτα εἴπητε.* Μετ' *ὀλίγον* | *πρὸς τῶι* Καισαρείωι Διογένης *καὶ* Διόσκορος *καὶ* ⟨*οἱ*⟩ *σὺν αὐτοῖς κοσμηταὶ προελθόντες παρόντος τοῦ* Ἀχιλλέως *διὰ τοῦ ἑνὸς αὐτῶν,* Διογένης *εἶπ(εν)· ἐμάθομεν τὸν* Ἀχιλ|λέα *προβαλόμενον ἑαυτὸν εἰς ἐξηγ(ητείαν) ἀπόντων ἡμῶν, τοῦτο δὲ οὐκ ἐξῆν, ὁ γὰρ θειότατος* Ἀντωνῖνος *διὰ* ⟨*δια*⟩*τάγματος ἐκέλευσεν μὴ συγχωρῖσθαι ἄνευ τριῶν ἐπιλόγ|χων εἰς ἐξηγ(ητείαν)· πολλῶν οὖν ἐπιλόγχων* ⟨*ὄντων*⟩ *ὀφείλει εἰς τὴν κατεπείγο[υσα]ν ἀρχὴν παραβαίνειν, ὡς ἀναγνώσομαί σοι τὸ διάταγμα.* Καὶ *ἀναγνόντος ἀντίγρα(φον) διατάγματος* || Μάρκου Αὐρηλίου Ἀντωνίνου Καίσαρος, Ἀσπιδᾶς *πατὴρ* Ἑρμᾶ *κοσμητ[ε]ύ(σαντος) παρὼν εἶπ(εν)· ἰδίωι κινδύνωι στέφω τὸν* Ἀχιλλέα *τὴν κοσμητείαν.* Ὀλυμπιόδωρος *εἶπ(εν)·* | *ἔχομεν δὴ φωνὴν τοῦ* Ἀσπιδᾶ *ὅτι ἰδίωι κινδύνωι αὐτὸν στέφει.* Κα[ὶ] *ὀφείλει στεφῆναι, ἤδη γὰρ ἡ ἀρχὴ ἀδιάπτωτός ἐστιν τῆι πύλ(ει).* Ὁ *στρα(τηγὸς) εἶπ(εν)· τὰ εἰρημένα ὑπομνηματισθῆ|ναι.* Ἀνέγνων. Καὶ *ἑτέρου ἐπιστάλματος τὸ ἀντίγρα(φον).* Ἄρχον[τ]ες Ἑρμοῦ *πόλ(εως) τῆς μεγάλ(ης)* Σαραπίωνι *τῶι καὶ* Ἀπολλωνίωι *στρα(τηγῶι)* Ἑρμοπολ(ίτου) *τῶι φιλ(τάτωι) χαίρειν.* | Ἀχιλλεὺς Νεαρχίδου *τοῦ καὶ* Κορνηλίου *ἀγορανομήσαντος ἀγόμενος [ε]ἰς κοσμητείαν ὑπό τινων κοσμητῶν ὑπέσχετο ἐπὶ σοῦ ἐξηγ(ητεύσειν).* Ἡμῶν *δὲ προτρεπομέ|νων αὐτὸν ἀναδέξασθαι τὴν κοσμητείαν διὰ τὸ μὴ πολλοὺς ἔχειν τὴν πόλ(ιν) κοσμητὰς πλειόνων ὄντων ἐπιλόγχων ἐξηγητῶν* Ἀσπιδᾶς *πατὴρ* Ἑρμᾶ||*κοσμητεύσαντος ἔστεψεν αὐτὸν ἰδίωι κινδύνωι τὴν κοσμητ(είαν), καθὰ δι' ὑπομνημάτων σου ἀνείλημπται.* Τῆς *οὖν ἀρχῆς τῆι πόλ(ει) ἀδιαπτώτου οὔσης ἐξ ὁποτέ|ρου αὐτῶν ἐπιστέλλεταί σοι ὅπως ἀκόλουθα τοῖς ἐπὶ σοῦ γενομένοις προνοῆσαι πρᾶξαι, εἰς τὸ τὴν πόλιν ἀπολαβεῖν τὴν ἀρχήν.* (Ἔτους) *λβ* Φαρμοῦθι *ιγ.* Ὑπέγρα(ψαν) | *ἐξηγητὴς καὶ γυμνασίαρχος.*

From Hermopolis. The first part of this document, which we have omitted from our text, apparently dealt with a recalcitrant nominee to public office, but the fragmentary character of the papyrus makes it impossible to determine whether it treated of the nomination of Achilleus, or whether it cited precedents dealing with his case (*cf.* no. 183). It is probable that the two cases were not related. That part of the text which we have included in this collection is our most important source of information on the obscure subject of appointments to public office in the Egyptian metropolis prior to the establishment of the municipal organization. The problems which are presented in this document are discussed by the editors of the Rylands papyri in their commentary, by Jouguet (*Rev. d. ét. grec.* 30 (1917), 294 *ff.*), by Méautis (*Hermoupolis-la-Grande*, 118 *ff.*), and by Van Groningen (*Mnemosyne*, 51 (1923), 421 *ff.*).

Achilleus, a wealthy citizen of Hermopolis, was nominated by the board of cosmetae to a vacancy in the college. The strategus was notified, and on a stated day certain officials of the metropolis, a group of citizens, and Achilleus appeared at the tribunal of the governor. When the citizens by their acclamations signified their approval of the candidate, Achilleus sought to evade the office by making a counter-proposal, offering to accept the position of exegete, to which he would contribute two talents annually if he were released from the liturgy of superintending lands under lease. Olympiodorus, the advocate of Hermopolis, protested against the action of Achilleus, claiming that, if the latter were permitted to enter the higher office, he should pay the entrance fee which was apparently exacted from those who entered the more advanced positions without going through the regular *cursus* (if this is the proper interpretation of ἐντεῦθεν). Olympiodorus added that Achilleus, by offering himself for exegete, could not decline the lower office where there was greater need for his services. When Achilleus persisted in his refusal on the plea that he was unable to bear the expense of the office, the strategus summoned the board of cosmetae to the hearing. They refused to withdraw their nomination, and when they heard of the counter-proposal of Achilleus, they cited a decree of the emperor Antoninus to the effect that, when there were sufficient members in a higher office, a candidate should accept office in a magistracy where the board was weaker in numbers and where his services were more urgently required. At this point Aspidas, father of Hermas who was an ex-cosmete, intervened by offering himself as guarantor for Achilleus. This ended the proceedings before the strategus at this time. Apparently an interval was allowed Achilleus in case he wished to appeal. When he took no action, the board of archons wrote to the strategus to take the proper steps to have the nomination and appointment of Achilleus or his surety confirmed. A copy of this letter was included in the minutes along with the records bearing on the hearing before the strategus. It may be noted that the strategus crowns the candidate for the gymnasiarchy at Elephantine (Wilcken, *Chrestomathie*, 4).

The edict of Antoninus is important as there is no record of a similar law elsewhere. Unfortunately it is cited so concisely that its meaning is not absolutely certain, and the word ἐπιλόγχους appears nowhere else in this connection and its interpretation is obscure. Apparently there were two classes of members in the various colleges of the official *cursus*. Of these, one is known as ἔναρχοι or στεφανηφόροι, who are actively engaged in the duties of the office. The term ἐπίλογχοι is apparently applied to supernumeraries of an honorary character who share the expenses of the office with the working members of the board. It is probable that wealthy and patriotic citizens were willing to share the burdens in return for the glory of enjoying the distinction of a title, and if there were a large number of such honorary members the expenses of the magistracy would be considerably lightened. Naturally there would be a desire to enter the higher offices, and apparently there was a high entrance fee exacted as a *summa honoraria*. The edict of Antoninus provided a remedy for those communities where some boards were excessively large, while others suffered from a lack of regular candidates. If we understand the law aright, it provided that a citizen could voluntarily present himself for membership in a board if not more than three supernumeraries were already attached to that office. If there were four or more, the candidate should accept membership in that board where his services were required and where the burdens were disproportionately severe because they were distributed among a smaller number.

The procedure in nominating a cosmete or exegete in Hermopolis at this period may be thus summarized. A suitable candidate is coopted by the existing college and the nomination is sent to the board of archons who transmit it to the strategus. On a day appointed there appear before the tribunal of the strategus representatives of the college of archons, citizens of Hermopolis, and the nominee. Van Groningen (*loc. cit.*) believes that the presence of the citizens indicates that the imperial government gave them a fictitious show of power in the election of magistrates, but we are inclined to believe that they had no formal or official purpose in being present at the tribunal. When the citizens signified their approval of the candidate, he might signify his acceptance at once. In that case the strategus transmitted the notice of nomination and acceptance to his superior, the epistrategus, who makes the formal appointment, or instructs the strategus to do so. If, however, the candidate refused the nomination, the board which made the nomination was summoned. In the case of Achilleus, the cosmetae defend their action. The nominee might now appeal to the epistrategus or prefect on the ground of some illegality, or he might offer to surrender his property to his nominators, who would administer it for the term of appointment and discharge the expenses of the office from the revenue of the estate, possibly reserving a certain proportion of the income for the owner (*cf.* nos. 185, 198). Before Achilleus could act in either way, Aspidas offered to crown him as cosmete, thereby presenting himself as guarantor for Achilleus and liable to the obligations of the office in case Achilleus defaulted for any reason. According to law Achilleus became a cosmete-elect, and when the legal period for appeal had expired without any further action on his part the officials of the metropolis request the strategus to take the proper steps to confirm the appointment.

It may be noted that, while the board of cosmetae makes the nomination, it is not responsible at this period for the obligations of the nominee, for these are voluntarily undertaken by Aspidas, who is a private citizen. Van Groningen advances the plausible theory that he offered himself as surety in order to relieve his son (who, however, is called ex-cosmete) from the burdens of office by ensuring the addition of another wealthy member to the board. If this is the case, it is possible that the board was responsible for their nominee and only escaped by the action of Aspidas. Van Groningen's theory leads to the further implication that the separate boards were constituted by acting members, honorary members, and ex-members who had not yet advanced to a higher grade in the *cursus*, since Aspidas acts to relieve his son, Hermas, who is still an ex-cosmete, and, therefore, still liable for his share as a member of the college. It is clear that there were more than one in the membership of the boards of cosmetae and exegetae, and that the cost of these offices to the incumbents was very great. Achilleus voluntarily offered two talents as his share in the college of exegetae and sought to escape the lower office because of the greater expense. Since he offered this sum as an annual contribution, it may be inferred that the office was held for more than a year at a time, unless we accept Van Groningen's theory that ex-officials remained as members of the board until they entered the higher grade.

This document furnishes conclusive evidence that a citizen could hold a higher magistracy without having filled the lower (*cf.* pp. 85 *ff.*). Voluntary candidacy for office was probably not unusual (*cf.* Wilcken, *Chrestomathie*, 38), but the abuse of such candidacy, which we may infer from the edict of Antoninus, is a new and curious phase of ancient municipal history. Incidentally the law could not have been issued unless public liturgies had become so burdensome that the wealthy class had sought this method of escape. For the office of cosmete, *cf.* Oertel, *Die Liturgie*, 329 *ff.*

## 182. DE MUNERIBUS VICANORUM

(194 p. Chr.)

*BGU.* 15, col. 1; Wilcken, *Chrestomathie*, 393.

Ἐξ ὑπομνηματισμῶν Ἰουλίου Κουιντιανοῦ τοῦ κρατίστου | ἐπιστρατήγου ἔτους δευτέρου Λουκίου | Σεπτιμίου Σεουήρου Περτείνακος Σεβαστοῦ Μεσορὴ $\bar{\bar{\beta}}$· Μεθ' (ἕτερα). | Κληθέντος Πεκῦσις Ἀπύγχεως καὶ ὑπακούσαντος Διαδέλ||φος ῥήτωρ εἶπεν. Ἐάν σοι δοκῆι, κάλεσον τὸν τῆς Νείλου | πόλεως κωμογραμματέα, ὧι ὁ ἡμέτερος ἐνκαλεῖ. Κλη|θέντος καὶ μὴ ὑπακούσαντος Ἀρτεμίδωρος εἶπ[ε]ν. | Κωμογραμματέα οὐκ ἔχι ἡ Νεῖλου πόλις, ἀλλὰ πρεσβυτέρους | διαδεχομένους. Διάδελφος ῥήτωρ εἶπεν. Κεκέλευσται ὑπὸ || τῶν κατὰ καιρὸν ἡγεμόνων ἕκαστον ἰς τὴν ἑαυτοῦ κώ|μην καὶ μὴ ἀπ' ἄλλης κώμης εἰς ἄλλην μεταφαίρεσθαι. | Ὅτι νῦν κωμογραμματεὺς ἐπηρεάζει τῶι συνηγορου|μ[έ]νωι, ἀνέδωκεν αὐτὸν πράκτορα ἀργυρικῶν τῆς ἰδίας | κώμης εἰς ἄλλην λειτουργείαν. Ἀξιοῖ ἀναγεινώσκων τὰ κε||κελευσμένα μὴ ἀφέλ-

*κεσθαι ἀπὸ τῆς ἰδίας εἰς ἀλλοτρίαν.* | Κοιντινιανὸς *εἶπεν. Στρατηγὸς διαλήμψεται, ὃ τῶν ἐμῶν | μερῶν καταλάβηται, ἐπ' ἐμὲ ἀναπέμψιν.*

From the Fayûm. In this document the procedure in cases of appeals from liturgies is shown. The appeal is heard before the epistrategus. The strategus is present, and the village-scribe is summoned to defend his nomination. Pekysis has an advocate, Diadelphus. The advocate cites a law, which he says had been regularly proclaimed by the prefects, to the effect that villagers should not be drawn from one village to another, but should remain in their own community. Wilcken points out that the law was imperfectly expressed, because there is no objection to a villager performing a liturgy in another district where he happens to have some property, but when he has already been assigned to a liturgy in his native village, he cannot be called upon to perform a liturgy in another district at the same time (*Dig.* 50. 1. 17, 4). *Cf. P. Giess.* 58.

## 183. DE IMMUNITATE ANTINOOPOLITANORUM

(196 p. Chr.)

*BGU.* 1022; Wilcken, *Chrestomathie*, 29.

Τῆι *κρατίστηι βουλῆι* Ἀντινοέων | Νέων Ἑλλήνων | *παρὰ* Λουκίου Οὐαλερίου Λουκρη|τιανοῦ Ματιδείου *τοῦ καὶ* Πλωτινί||ου *καὶ* Λ[*ουκίο*]*υ* Λογγείνου Ἑρεννίου | Παυλεινίου *τοῦ καὶ* Μεγαλεισίου. Οὐκ *ἀ*|[*γ*]*νοεῖτε, ἄνδρες κράτιστοι, ὅτι πασῶν* | [*λει*]*τουργιῶ*[*ν*] *ἀφ*⟨⟨*θ*⟩⟩*είθημεν τῶν ἀλλαχοῦ* | [*κατ*]*ὰ διάταξιν θεοῦ* Ἁδριανοῦ ⟨*τοῦ*⟩ *καὶ οἰκιστοῦ* || [*τ*]*ῆς ἡμετέρα*[*ς πό*]*λ*[*ε*]*ως.* Ἐπεὶ *οὖν γενόμε*|[*νο*]*ι* [*ε*]*ἰς* Φειλα[*δ*]*ελφίαν κ*[*ώ*]*μην τοῦ* Ἀρσινο|[*εί*]*τ*[*ο*]*υ τῆς* [Ἡρα]*κλείδου μερίδος, ἔνθα γεου*|[*χο*]*ῦμεν, ἐπ*[*ὶ*] *τῆς διορθ*[*ώσ*]*εως δημ*[*οσ*]*ίων* | . . . . . *λοτων, ὁ τῆς προκ*[*ει*]*μένης κώμης* || [*κωμ*]*ογραμματεὺς* Ἀφροδᾶς Θέωνος *κατ' ἐπή*|[*ρια*]*ν ἐπέδωκεν ἡμᾶς ἐπὶ τῆς καταγωγῆς* | *τοῦ σείτου παρὰ τὰ διατεταγμένα, κατὰ τὸ ἀναγ*|[*καῖο*]*ν, κύριοι,* [*τ*]*ὴν πρόσοδο*[*ν*] *πρὸς ὑμᾶς ποι*|[*οῦ*]*μεν ἀξιοῦντες, ἐὰν ὑμῖν δόξηι, ἀνε*||*νεγκεῖν τῶι κρατίστωι ἐπιστρατήγωι* | Καλπουρνίωι Κονκέσσωι *περὶ τούτου, ὅπως* | *κατὰ τὰ ὑπάρχοντα ἡμῖν δίκαια κελεῦσαι* | *ἑτέρ*[*ο*]*υς* *ἀνθ' ἡμῶν κατασταθῆναι καὶ | λόγον αὐτὸν ὑποσχεῖν τῶν τετολμημέ||νων καὶ εἰς τὸ πέραν ἐπκρεάστους* (sic) *φυλα|χθῆναι.* (2nd H.) Διευ[τυ]χεῖτε. (Ἔτους) δ' Αὐτοκράτορος | Καίσαρος Λουκίου Σε[πτι]μίο[υ | Σε]ουήρου Εὐσεβοῦς Περτίνακος | Σεβαστοῦ Ἀραβικ(οῦ) Ἀδιαβηνικ[(οῦ) Μεσ]ορὴ κ̄. (3rd H.) Λούκιος || [Ο]ὐαλέριος Λ[ο]υκ[ρ]ητιανὸς ἐπιδέδοκα | *καὶ ἔγραψα ὑπὲρ* Ἑρεννίου *μὴ* [εἰ]δότος | *γρά[μμα]τα.*

From Antinoopolis. This appeal of citizens of Antinoopolis is of interest because of its mode of procedure. It is directed to the senate of their native city with the request that this body transmit their appeal to the epistrategus. Ordinarily an appeal was forwarded directly to the epistrategus. For the immunity enjoyed by the Antinoopolitans, *cf.* nos. 170, 176; Wilcken, *Chrestomathie*, 397.

## 184. DE CONNUBIO ANTINOOPOLITANORUM ET AEGYPTORUM

(saec. II p. Chr.)

*Compt. rend. de l'acad. d. inscr. et bell. lett.* 1905, 160 *ff.*; Wilcken, *Chrestomathie*, 27.

Εἰ τοῖς ἀναγνωσθεῖσι ψηφίσ|μα[σ]ι ὑπεναντίον τί ἐστιν κα|τὰ νόμον ἢ κατὰ διάταξιν. | Ε[ἰ γὰ]ρ ὑπεναντίον ἐστὶν τὸ || πα[ρά]δειγμα οὐκ ἰσχυρόν, προ|κρεί[ν]ονται γὰρ παντὸς οὔτινοσ|οῦν οἱ νόμοι καὶ διατάξεις. | Ἑρμόδωρος Εὐτυχίδους βου|λευτὴς εἶπεν. Ἀναγνωσθέ||τω ἡ διάταξις Πρόκλου. Ἀνα|γνωσθείσ(ης) "Ἐπὶ τοῦ θ (ἔτους) θεοῦ | Αἰλίου Ἀντ[ω]νείνου Ἀθὺρ $\overline{κα}$." Νε|μεσίων Ἀμμωνίου βουλευ|[τὴς] εἶπεν. Περὶ τούτου ὡς ἔδο||ξε[ν], προσφωνησάτω ἡμεῖν | ὁ πρυτανικός. Λούκιος Ἀπολινά|ριος πρυτανικὸς εἶπεν. Ἡ ἐπι|γαμία ἐδόθη ἡμεῖν πρὸς | Αἰγυπ[τί]ου[ς] κατ' ἐξαίρετον || ὑπὸ τοῦ θεοῦ Ἁδριανοῦ, ἥν|περ ⟨⟨ου⟩⟩ οὐκ ἔχουσι Ναυκρα⟨⟨τι⟩⟩|τεῖται, ὧν τοῖς νόμοις χρώ|μεθα, καὶ τὰ περὶ τῆς ἐπιγα|μίας πάλιν ἀναγεινώσκω. || Καὶ ἀναγνόντος μετὰ τὴν ⟨⟨α⟩⟩|ἀνάγνωσιν. Ἀρισταῖος βου⟨⟨λε[υ]⟩⟩|λευτὴς εἶπεν. Τοῦτο οὐχ ἅπα|ξ ἐνν. . . . . . κεκείνηται, | ἀλλὰ καὶ πλεονάκις, ἰδί||ως ἔπ[ρ]επε[ν] ἡμῶν τῶι | Ἑλληνικ[ῶι λό(?)]γωι. Ἠθέλη|σα. . . .ν περιτροπὴν ε|τ.υσεπ. κ. . . . ἡμῖν . . .

From this document we learn that Antinoopolis received the same code of laws as Naucratis on the occasion of its foundation by Hadrian. The Antinoopolitans, however, enjoyed the rights of intermarriage with citizens of other Egyptian towns—a privilege which the people of Naucratis did not possess. It is evident that the former city had a senate and prytanies of a form usual in other Greek cities.

### 185. DE MUNERE EORUM QUI VECTIGALIA EXIGUNT

(200 p. Chr.?)

*P. Oxy.* 1405.

............ρ.... παρεχώρ[η|σας .......] εὔδηλόν ἐστιν μὴ τῶι | [ταμεί]ωι ἡμῶν τὴν παραχώρησιν | [γενέσ]θαι ἀλλὰ τῶι εἰς τὴν λειτουργίαν || ....μένωι, ὃς ἀναλαβὼν σοῦ τὰ | ὑπάρχον[τ]α τὸ λοι[πὸν τοῦ ..]πο...ι|τικο[ῦ] παρέξει καὶ τὴν λειτουργίαν ἀπο|πληρώσει. Τὸ γὰρ ταμεῖον ἡμῶν | τῶν τοιούτων παραχωρήσεων || οὐκ ἐφείεται. Ἡ δὲ ἐπιτειμία σου ἐ|κ τούτου οὐδὲν βλαβήσεται, οὐδὲ εἰς τὸ | σῶμα ὑβρεισθήσει. Προετέθη ἐν Ἀλεξαν|δρείαι η′ (ἔτους) Φαρμοῦθι. |

Αὐρηλίωι Λεωνίδηι στρα(τηγῶι) Ὀξυρυγχ(ίτου) || παρὰ Αἰμιλίου Στεφάνου Ἁτρῆτος μη|τρὸς Τασορ[ά]πι[ος] ἀπὸ κώμης Σιγκέφα. | Τῆι ἐνεστώσηι ἡμέραι ἔμαθον ἀντωνο|μάσθαι με ὑπὸ Αὐρηλίου Ἀμόϊτος Πατᾶτος | μητρὸς Δημητροῦτος ἀπὸ τῆς αὐτῆς κ[ώ]||μης εἰς πρακτορείαν ἀργυρικῶν κωμ[η]|τικῶν λημμάτων τῆς αὐτῆς Σιγκέφα τοῦ | ἐνεστῶτος γ (ἔτους) ὡς εὔπορον καὶ ἐπιτή|δειον. Οὐκ ἀνὰ λόγων οὖν οὐδὲ πρὸς [τὸ(?)] | μέρος τῆς λειτουργίας, ἀλλ' ἐξιστανόμενο[ς] || αὐτῷ κα⟨τὰ⟩ τὴν προκειμένην θείαν | [διάταξιν] δη[λ]ῶ ἔχειν με πόρου ἐπὶ δι.........

From Oxyrhynchus. The first part of this document appears to be an edict of the prefect issued in answer to an appeal from an Egyptian who offered to cede his property to the imperial *fiscus* for the year in lieu of his performing a liturgy to which he had been nominated. The prefect states that the government does not administer such estates, but that it goes to the man who nominated him for the office, and he administers the estate and defrays the expenses of the liturgy from the revenue. The recipient of this rescript is guaranteed against loss of status and corporal punishment.

Unfortunately the document is badly mutilated and almost undecipherable in ll. 5–6 (*cf.* commentary of Grenfell-Hunt, *loc. cit.*), and the exact details of the law cannot be determined. It is evident, however, that liturgies as well as magistracies could be avoided in Egypt by appealing to the prefect with an offer to cede one's property to the nominator. If we read [δεχο]μένωι in l. 5 (although the editors, who proposed [δεδο]μένωι, note that the traces of the first letter do not suit this reading), we may have proof of the existence of a form of *ἀντίδοσις* or exchange of properties similar to the earlier Athenian custom. In this connection a rescript of Antoninus may be cited (*Cod. J.* 10. 67. 1), which instructs a certain Basilides to plead his case (before the governor), if he thinks that some one else is more capable of performing the liturgy. *Cf.* no. 181, where there is, apparently, reference to a similar cession of an estate to avoid a liturgy or magistracy. *Cf.* Mitteis, *Chrestomathie*, 375, for a copy of the edict dealing with this question, and no. 198, where, in a later period, the law appears to require that, in cases where the estate is surrendered by a nominee to the nominators, two-thirds of the revenue may be devoted to the expense of the magistracy, and the remainder is returned to the owner.

The second part of the document is an appeal from a villager to the strategus. He had been nominated to the office of tax-collector of the village by his predecessor in that office as a suitable candidate and financially able to support the liturgy. Stephanus cites the proclamation of the prefect and offers to cede his property on the same terms as expressed in the edict on the ground, apparently, that his income is insufficient. The document is important because the method of nomination is different from the earlier practice, whereby nominations were made by the comarchs or other village-officials who sent a list of candidates to the strategus, and he in turn forwarded it to the epistrategus who selected the candidates by lot. We also learn that the villager sent his appeal to the strategus, although in the first document which he had cited the appeal was apparently forwarded to the prefect. *Cf.* pp. 99 *ff.*

The document is dated in the eighth year of some emperor and the editors assign it to A.D. 200. It is contemporary with no. 188, which must belong to the period after the introduction of the municipal organization and it is possible that both documents may belong to a later period, either to the eighth year of Alexander Severus or of Gallienus. *Cf.* Wilcken, *Archiv*, 6 (1920), 420 *f.*

## 186. DE VICIS DEMINUENDIS

(ca. 200 p. Chr.)

Preisigke, *Sammelbuch*, 8; *Festschrift Hirschfeld*, 125.

λ| . . . . . . . θ γ(ίνονται) . . | . . . . . . . . (δραχμαὶ) μθϜϛ χ(αλκοῦς) |
εἰδῶ[ν . ]. δ . . . . . (δραχμαὶ) λθ, γ(ίνονται) (δραχμαὶ) πηϜϛ
5 χ(αλκοῦς), || Τ . αγ . . . , ἐφ᾽ ἧς ὁ κωμογρα(μματεὺς) ἐδήλ(ωσεν)
τοὺς | ἐπ᾽ αὐτῆς ἀναγρα(φομένους) ἄνδρας ἐκ το[ῦ] | πλείστου
ἐγλελοιπέναι, γεγονέναι | γὰρ τὴν κώμην τὸ πάλαι, ὅτε κεφ[ά-
10 λ(αιά)] | φησιν ἐστάθη ὑπὸ αὐτῶν [δί]||δοσθαι, ἀπὸ ἀνδρῶν ρ̅κ̅η̅,
νῦν [δὲ] | κατηντηκέναι εἰς μόνους . . , | ἀφ᾽ ὧν ἀνακεχωρηκέναι
. . . , | καὶ ὀφείλειν τὸ ἐπιβάλλον | κουφισθῆναι δ[ιοικ(ήσεως)] ||
15 ὑποκει(μένων) κωμογρ(αμματείαι) ἐφ . . | λογισμο . . . . . . . . .
. . |γ(ίνεται) . . | ἐπιστάτει φυλ . . (δραχμαὶ) φ . . | παρανα . λ . .
20 (πυροῦ) (ἀρτάβαι) . . . . || ἱερ . . . . . . . . . . . . . | προ(σδιαγραφόμενα)
(δραχμαὶ) γρ χ(αλκοῖ) γ, | εἰδῶν . . . . . ει . . .

The origin of this fragment of papyrus is unknown. While there are numerous documents in the third century and in the Byzantine period which portray the decline of village communities (Rostowzew, *Gesch. d. röm. Kol.* 206 *ff.*), there are a few from the second century which reveal the same tendency (Wilcken, *Festschrift Hirschfeld*, 125 *ff.*). Wilcken connects the subject-matter of this document with the plague which was brought back from the Orient by the armies of Marcus and Verus. In *BGU.* 902, which apparently belongs to the same period, the village had decreased from eighty-five to ten. Here the original census had been one hundred and twenty-five, and of the remainder after the plague a number had deserted the village. The document is an appeal for a lightening of the taxes (*cf.* Wilcken, *loc. cit.*). *Cf.* for similar documents of the same period, *P.S.I.* 101, 102, 105.

## 187. DE MUNERIBUS OXYRHYNCHI

(201 p. Chr.)

*P. Oxy.* 54.

Σαραπίωνι τῶι καὶ Ὡρίωνι ἐν[άρ]χωι | γυμνασιάρχωι καταδεοῦς τὴν ἡλι|κίαν διὰ τοῦ κατὰ πατέρα πάππου | Ἀπίωνος γυμνασιαρχήσαντος, || καὶ Ἀχιλλίωνι ἐνάρχωι ἐξηγητῆι | διὰ Ἀχιλλίωνος τοῦ καὶ Σαραπάμ|μωνος υἱοῦ καὶ διαδόχου, | παρὰ Διογένους Σαραπίωνος καὶ Λου|κίου Ἑρμίου, ἀμφοτέρων ἀπ' Ὀξυ||ρύγχων πόλεως, εἰσδοθέντων ὑ|πὸ τοῦ τῆς πόλεως γραμματέως | γνώμηι τοῦ κοινοῦ τῶν ἀρχόντων | εἰς ἐπιμέλειαν ἐπισκευῆς καὶ κα|τασκευῆς Ἁδριανῶν θερμῶν. || Αἰτούμεθα ἐπισταλῆναι ἐκ τοῦ | τῆς πόλεως λόγου εἰς τειμὴν γε|νῶν ἐπὶ λόγου ἀργυρίου τάλαντα | τρία, γί(νεται) ⌉γ, ὧν λόγον τάξομεν | [ὡς] δέον ἐστίν. (Ἔτους) θ || Α[ὐ]τοκρατόρων Καισάρων | Λουκίου Σεπτιμίου Σεουήρου | Εὐσεβοῦς Περτίνακος Ἀραβικοῦ | Ἀδιαβηνικοῦ Παρθικοῦ Μεγίστου | καὶ Μάρκου Αὐρηλίου Ἀντωνίνου || Εὐσεβοῦς Σεβαστῶν [[καὶ | Πουβλίου Σεπτιμίου Γέτα]] | Καίσαρος Σεβαστοῦ, Φαρμοῦθι. | (2nd H.) Διογένης Σαραπ[ί]ωνος αἰτοῦ|μαι τὰ τ[ο]ῦ ἀργυρίου τάλαν||τα τρία ὡς πρόκιται. (3rd H.?) Λ[ού]|κιος Ἑρμίου συναιτοῦμαι | τὰ τοῦ ἀργυρίου τάλαντα τρία | ὡ[ς πρό]κιται.

From Oxyrhynchus. This document is our chief source of information about the method of appointment to metropolitan liturgies before the civic organization was introduced. The names of candidates were given in (εἰσδοθέντων) by the secretary of the metropolis after consultation with the council of archons (*cf.* pp. 27 *ff.*; 99 *ff.*). It is probable that the lists were forwarded to the strategus and from his office to the epistrategus who made the appointments by lot as in the villages. In some cases, however, appeals were directed to the prefect, and he also received names of candidates for certain offices (*cf. P. Amh.* 64; *P. Br. Mus.* 1220, dated A.D. 202–207).

## 188. DE VECTIGALIBUS

(ca. 202 p. Chr.)

*P. Oxy.* 890; Wilcken, *Chrestomathie*, 280.

Λούκιος Σεπτίμιος Αὐρήλιος | Σαραπίων ὁ καὶ ᾿Απολινάριος
καὶ ὡς | χρηματίζω ἔναρχος πρύτανις τῆς | ᾿Οξυρυγχειτῶν
5 πόλεως Αὐρηλίωι || Λεωνίδηι στρατηγῶι τῶι φιλ|τάτωι χαίρειν. |
Τοὺς ἀπαιτεῖσ[θα]ị μέλλοντας ἀφ᾿ ὧν | [ὀ]φ[είλ]ουσι τῆι π[όλει]
10 χωρούντων | [εἰς δι]αγραφὴν τῶν ἐκ λόγου τῆς || [πόλε]ως
διαγραφομένων καὶ νῦν | [γράφομέν] σοι πρὸς τὸ μὴ ἐμποδί|-
[ζεσθαι τὴ]ν εἴσπραξιν τοῦ ἱερωτάτου | [ταμείου.] Εἰσὶ δέ·
15 Αὐρήλιοι | [. . . . . καὶ ᾿Α]πολλώνιος καὶ Δομιττια||[νὸς οἱ τρεῖς
Σ]αραπίωνος τοῦ καὶ | [. . . . . . . . ἀγορ]ανομήσαντος (δραχμὰς)
υ, | [. . . . . . . . . . . . ῾Ηρ]ακλᾶς ὀνόματος | . . . . . . . . . . . . . . . . . .
. . . ατ . . . .

From Oxyrhynchus. The prytanis of Oxryhynchus forwards to the strategus a list of citizens owing the city treasury. This was apparently a necessary preliminary to the proceedings about to be instituted against the defaulters. It would seem that the city paid a certain amount to the imperial treasury as tribute. There is no indication that the city council was liable for the deficiency at this period, but unfortunately we cannot determine where the liability would fall in case the proceedings against the defaulters failed. This document may have some bearing on the interpretation of no. 202. *Cf.* pp. 99 *ff.* The document is contemporary with no. 185, and therefore dates ca. A.D. 202, or immediately on the introduction of the municipal organization. The unique character of the document is probably due to the fact that it comes from the transitional period. The strategus Aurelius Leonides served both before and after the reconstruction if this date is correct. It is, however, possible that he was in office ca. 230 (*cf.* no. 185, note) as he bears the name Aurelius in both periods.

## 189. EPISTULA IMPERATORIS SEPTIMI SEVERI AD AURELIUM HORIONEM

(202 p. Chr.)

*P. Oxy.* 705, ll. 54–79; Wilcken, *Chrestomathie*, 407.

Αὐτοκράτωρ Καῖσαρ Λ[ο]ύκιος [Σ]επτίμ[ιος Σ]ε[ου]ῆρος || Εὐσεβ[ὴ]ς Περτίναξ Σεβαστὸς Ἀραβικοῦ Ἀδιαβηνικὸς | Παρθικοῦ Μεγίσ[το]υ [κ]αὶ Αὐτοκράτωρ Καῖσαρ | Μᾶρκο[ς] Αὐρήλιος Ἀντωνῖνος Εὐσεβὴς Σεβαστὸς | Αὐρηλίωι Ὡρείωνι χαίρειν. | Ἀποδεχόμεθά σε καὶ ταύτης τῆς ἐπιδόσεως ἣν || ἀξιοῖς ἐπιδοῦναι ταῖς κώμαις τῶν Ὀξυρυγχειτῶν | ἀποδιδοὺς ἀμοιβὴν ἐνκτήσεως. Τ[ὸ] ὅμοιον δὴ καὶ | ἐ[π]ὶ τούτου φυλαχθήσεται καὶ καθότ[ι ἠ]θέλησας ἀμε|τάστρεπτον εἰς ἕτερόν τι δαπανήσ[εσ]θαι τὴν χάριν. | Ἔστιν δὲ ἡ ἀξίωσις. || Τοῖς εὐμενεστάτοις Αὐτοκράτ[ο]ρσι Σε[ουήρ]ωι καὶ Ἀντωνίνωι | τοῖς πάντων ἀνθρώπων σωτῆρσιν [κ]αὶ εὐεργέταις | Αὐρήλιος Ὡρείων γενόμενος στρατη[γ]ὸς καὶ ἀρχιδικασ|τὴς τῆς λαμ[π]ροτάτης πόλεως τῶν Ἀλεξανδρέων χαίρειν. | Κῶμαί τινες τοῦ Ὀξυρυγχείτου νομοῦ, ὦ φιλανθρωπότα||τοι Αὐτοκράτορες, ἐν αἷς ἐγώ τε ⟨καὶ⟩ οἱ υἱοί μου χωρία κεκτήμε|θα, σφ[ό]δρα ἐξησθένησαν ἐνοχλούμεναι ὑπὸ τῶν κατ᾽ ἔτος | λειτουργιῶν τοῦ τε ταμείου καὶ τῆς παρα[φ]υ[λ]ακῆς τῶν | τόπων, κινδυνεύουσί τε τῶι μὲν ταμείωι παραπολέ|σθαι, τὴν δὲ ὑμετέραν γῆν ἀγεώργητον καταλιπεῖν. || Ἐγὼ [ο]ὖν καὶ τοῦ φιλανθρώπου καὶ τοῦ χρησίμου στοχα|ζ[όμε]νος βούλομαι εἰς ἀνάκτησιν αὐτῶν ἐπίδοσίν | τ[ινα] βραχεῖαν ἑκάστηι ποιήσασθαι εἰς συνωνὴν | χ[ωρί]ου, οὗ ἡ πρόσοδος κατατεθήσεται εἰς τροφὰς καὶ | δ[απά]νας τῶν κατ᾽ ἔτος λειτουργησόντων ἐπὶ τῶι . . . . . . . . . . . .

l. 78. χ[όρτ]ου Grenfell-Hunt; χ[ωρί]ου Wilcken.

From Oxyrhynchus. This is one of the few endowments known from Egypt, and is of interest because the consent of the emperors was obtained. The endowment was made to relieve villages in the region of Oxyrhynchus which had become impoverished because of the pressure of imperial liturgies. In l. 77 the expression *συνωνήν* is noteworthy, as it implies that Horion was contributing a certain sum to each village for the purchase of property whose income would be used to defray the expenses of the liturgies, and the remainder

of the purchase price would be paid by the village. The endowment of a school at Como by Pliny was made along similar lines, and Horion apparently made his gift, actuated by the same motives as Pliny.

### 190. QUERELLAE VICANORUM CONTRA POSSESSORES
(207 p. Chr.)

Preisigke, *Sammelbuch*, 4284, ll. 1–17.

*Διονυσίωι στρ(ατηγῶι) Ἀρσιν(οΐτου) Ἡρακλ(είδου) μερίδ(ος) | παρὰ Ἑριέως Στοτοήτεως πρεσβυτέρου καὶ Παβοῦτος [Π]αβοῦ[τ]ος μητρὸς Σεγάθιος ἀρχεφόδου καὶ Ἑριέω[ς Πα]κύσεως καὶ Ἀπύγχεως Ὡρίωνος καὶ Ἐσούρεως Παουιτῆτος | καὶ Δημᾶ Δημᾶτος καὶ Ὀρσενούφεως Ἑριέ[ως] καὶ Πετ[ε]σούχου Σώτου καὶ Ὥρου μητρὸς Θαισᾶτος καὶ Σωτηρίχου ἀπάτορος μητρὸς Θερμούθεως καὶ Πκᾶτος Πεκύ|σεως καὶ Πατῆτος Σαταβοῦτος καὶ Παβοῦτος Παβοῦτος καὶ Καννεῖτος Πατῆτος καὶ Σωτᾶ Παβοῦτος καὶ Παεῖτος Σαταβοῦτος καὶ Πεκύσεως Ψενήσιος καὶ Ἀπύγχεως Ἀπύγ||χεως καὶ Ἀβοῦτος Σαταβοῦτος καὶ Π[ακύ]σεως Ἑριέως κ[αὶ] Πουσ̣ε̣ῖτος Ματάϊτος καὶ Πακύσεως ⟨⟨Ματάϊτος καὶ Πακύσεως⟩⟩ Ἀπύγχεως καὶ Μέλανος Πακύσεως καὶ Ἀεί|ετος Καν[εῖ]τος καὶ Ἀπύγχεως Σαραπίωνος τῶν κ̅ε̅ καὶ τ[ῶ]ν λοιπῶν δημοσίων γεωργῶν κώμης Σοκνοπαίου Νήσου. Οἱ κύριοι ἡμῶν θ̣ιότατοι καὶ ἀήτ'τητοι | Αὐτοκράτορες Σεουῆρος καὶ Ἀντωνεῖνος ἀνατείλαντες [ἐ]ν ⟨τῆι⟩ ἑα[υ]τῶν Αἰγύπτωι, μεθ' ὧν πλείσ⟨τ⟩ων ἀγαθῶν ἐδωρήσαντο, ἠθέλησαν καὶ τοὺς ἐν ἀλλοδαπῆι διατρίβοντας πάν|τας κατιέναι εἰς τὴν ἰδίαν οἰκείαν ἐκ'κόψαντες τὰ βίαια [καὶ ἄν]ομα, καὶ κατὰ τὰς ἱερὰς αὐτῶν ἐν[κελεύ]σεις κατεισήλθαμεν. Ἐχομένων οὖν ἡμῶν [τῆι] κατεργασίαι | τῆι ἀποκαλυφθείσηι αἰγιαλίτι⟨δι⟩ γῆι ἑκάστου καθὸ δύναμις, Ὀρσεύς τις ἀνὴρ βίαιος καὶ αὐθάδης τυ[γχάν]ων ἐπῆλθεν ἡμῖν σὺν ἀδελφοῖς αὐτοῦ τέτρασι κ[ω]λύων τὴν κα||τεργασίαν καὶ κατασπορὰν ποεῖσθαι καὶ ἐκφοβῶν ἡμ̣ᾶς, ἵν' [ἐκ το]ύ[το]υ κατὰ τὸ πρότερον εἰς τ[ὴν] ἀλλο[δ]απὴν φύγωμεν καὶ μόνοι ἀντιποιήσονται [τ]ῆς γῆς, δηλοῦ|μεν δέ σοι, κύριε, τὴν τούτων βίαν. Οὔτε γὰρ συνείσφοροι γ[ε]ίνονται τῶν κατὰ μῆνα γει[νο]μένων ἐν τῆι κώμηι ἐπιμερισμῶν τε καὶ ἐπιβολῶν σι[τ]ικῶν τε καὶ ἀρ|γυρικῶν τελεσμάτων, ἀλλὰ καὶ οὐσία ἐστὶν ὑπὲρ ἧς κατ' ἔτος διαγράφ[ομε]ν μόνοι ἡμεῖς δραχμὰς δισχειλίας τετρακοσίας καὶ μόνων τούτων τὰ τετράποδα*

πλεῖ|στα ὄντα τὰς ν[ο]μὰς ποιεῖται. Καὶ οὐδεπώποτε ἐλιτο[ύ]ρ-
[γησ]αν ἐ[κ]φοβοῦντες τοὺς κατὰ χρόνους κωμογραμματέως.
῞Οθεν κατὰ τὸ ἀναγκαῖον τὴν [ἐπί] σε καταφυ|γὴν ποιούμεθα καὶ
ἀξιοῦμεν, ἐάν σου τῆι τύχηι δόξηι, κελεῦσαι, ἀχθῆναι αὐτο[ὺς] ἐπί
σ[ο]υ καὶ διακοῦσαι ἡμῶν πρὸς αὐτὸν πρὸς τὸ ἐκ τῆς σῆς βοηθείας
ἐκδικηθέντες δυνη||θῶμεν τῆι γῆι σχολάζειν καὶ ταῖς ἐπιβα[λ]- 15
λούσαις ἡμε[ῖν] χρείαις προσκαρτερεῖν, τὸν δὲ Ὀρσέα καὶ τοὺς
ἀδελφ[ο]ὺς συνεισφόρας εἶναι τοῖς δημοσίοις τελέσμασι καὶ |
λιτ[ο]υργεῖν τ[ὰς] ἁρμοζούσας αὐτοῖς λιτουργίας καὶ ἔχ[εσθαι
ἐξ] ἴσου [ἡ]μᾶς πάντας τῆς σπορᾶς τῆς ἀποκαλυφ(θ)είσης γῆς,
ἵν' ὦμεν ἐν τῆι ἰδίαι συμμένοντες τῆι τύχηι σου | εὐχαριστεῖν.
Διευτύχει.

l. 9. ἑκάστον = ἑκάστων.
l. 13. κωμογραμματέως = κωμογραμματέας.
l. 15. συνεισφόρας = συνεισφόρους.

From the Fayûm. The relations of the great landlords to the small proprietor and to the village community are clearly indicated in this petition. These villagers had fled from their homes and engaged in a life of brigandage. On the issuance of the edict of Severus and Antoninus granting amnesty to all fugitives, they had returned to the village of Socnopaei Nesus and taken up leases in the public lands along the shore. Thereupon a certain Orseus and his brothers attempted to drive the fugitives away, as apparently they had done before, in order that they might continue to pasture their flocks on the lands thus vacated. Furthermore these men were so powerful that the village-secretary was always terrified. As a result Orseus and the members of his family paid no tribute or taxes and never performed any of the liturgies. Nor had they taken their due share of waste land to be cultivated which had been assigned to them. The petitioners apply to the strategus to bring these men to judgement in order that they themselves may not be forced to flee from their homes again and that Orseus and his party may be compelled to take their due share of public liturgies. This is the earliest documentary evidence for the encroachment of the wealthy landed proprietor on the holdings of the peasants and of the defiance of the local authorities by the rich (*cf.* pp. 203, 216 *ff.*; Wilcken, *Chrestomathie*, 354, 355; *Archiv*, 3 (1906), 548 *ff.*).

## 191. DE TRIBUBUS METROPOLEOS

(212 p. Chr.)

*P. Oxy.* 1030; Wilcken, *Chrestomathie*, 36.

(5th H.) *πε.* | (1st H.) *Σερήνωι ἀμφοδογρα(μματεῖ) α φυλ(ῆς) β περιόδ(ου)* | *παρὰ Διογένους.* (2nd H.) Παποντῶτος | *τοῦ* Σπαρτᾶ *μητρὸς* Τερεῦτος || *ἀπ'* Ὀξυρύγχων *πόλεως.* Ὁ | *ἐμοῦ καὶ τῆς ὁμοπατρίας μου* | *ἀδελφῆς* Θαήσιος *δοῦλος* Ἱστόρη|*τος ὑπερετὴς ἄτεχ(νος) ἀναγραφό|μενος ἐπ' ἀμφόδου* Παμμένους || Παραδείσου *ἐτελ(εύτησε) τῶι διελ(θόντι) ἔτει.* | *Διὸ ἐπιδίδωμι τὸ ὑπόμνημα* | *ἀξιῶν α[ὐ]τὸν ἀναγραφῆναι ἐν* | *τῆι τῶν [ὁ]μοίων τάξει, καὶ* | *ὀμνύω τὴν τοῦ κυρίου* Μάρκου || Αὐρηλίου [Σ]εουήρου Ἀντωνίνου | *τύχην μὴ ἐψεῦσθαι.* (Ἔτους) *κα* | Αὐτοκράτ[ο]ρος Καίσαρος Μάρκου | Αὐρηλίου [Σε]ουήρου Ἀντωνίνου | Παρθικοῦ Μεγίστου Βρεταννικοῦ || Μεγίστου Εὐσεβοῦς Σεβαστοῦ | [[*μηνὸς* Ἁδριανοῦ]] *κ.* (3rd H.) Διογένης | Παποντῶτος *ἐπιδέδωκα καὶ ὀμώ|μεκα τὸν ὅρκον.* | (4th H.) Σερῆνος *ἀμφοδογρα(μματεὺς) ἔσχον τού||του τὸ ἴσον.*

From Oxyrhynchus. This declaration is dated shortly after the introduction of the municipal organization into Egypt by Severus. Oxyrhynchus was divided into tribes and circuits numbered numerically. The *amphodon* is a geographical division, each including a tribe (*P. Oxy.* 1119; Wilcken, *Grundzüge*, 348 *f.*). The tribe had an archon and a secretary, and apparently there was a cycle according to which each tribe took the municipal liturgies in rotation (Wilcken, *loc. cit.*). The tribal secretary also received the registrations of deaths, and probably all similar records connected with the census in his particular district. In *P. Br. Mus.* 2, 281, the death certificates from the villages are forwarded to the village-secretary. Sometimes the royal scribe receives these declarations (*cf.* note *ad loc.*).

## 192. EDICTUM CARACALLAE DE CIVITATE PEREGRINIS DANDA

(212 p. Chr.)

*P. Giess.* 40, col. I (vol. III, p. 164); Mitteis, *Chrestomathie*, 377; Segré-Beltrami, *Rivista di Filologia*, 45 (1917), 16 *ff.*; Meyer, *Juristische Papyri*, 1; Girard, p. 203.

[Αὐτοκράτωρ Καῖσαρ Μᾶ]ρκος Αὐρήλι[ος Σεουῆρος] Ἀντω-
νῖνο[ς] Σ[εβαστὸ]ς λέγει. | [Νυνὶ δὲ νικήσαντα χρ]ὴ μᾶλλον
ἀν[αβαλόμενον τὰ]ς αἰτίας κ[α]ὶ το[ὺς] λ[ιβ]έλλου[ς | ζητεῖν,
ὅπως ἂν τοῖς θ]εοῖς τ[οῖ]ς ἀθ[αν]άτοις εὐχαριστήσαιμι, ὅτι τῆι
τοιαύτηι | [νίκηι ἐτίμησαν καὶ σῶο]ν ἐμὲ συν[ετή]ρησαν. Τοι-
γαροῦν νομίζω [ο]ὕτω με‖[γαλοπρεπῶς καὶ εὐσεβ]ῶς δύ[να]σθαι 5
τῆι μεγαλει[ό]τητι αὐτῶν τὸ ἱκανὸν ποι|[εῖν, εἰ τοὺς ξένους, ὁσ]ά-
κις ἐὰν ὑ[π]εισέλθ[ωσ]ιν εἰς τοὺς ἐμοὺς ἀν[θρ]ώπους, | [εἰς τὰ χα-
ριστήρια τῶ]ν θεῶν συνεπενέγ[κοι]μι. Δίδωμι τοί[ν]υν ἅπα|[σιν
ξένοις τοῖς κατὰ τ]ὴν οἰκουμένην π[ολιτ]είαν Ῥωμαίων, [μ]ένον-
τος | [παντὸς γένους πολιτευμ]άτων χωρ[ὶς] τῶν [δεδ]ειτικίων.
Ὀ[φ]είλει [γ]ὰρ τὸ ‖ [πλῆθος πρόπαν οὐ μόνον συμπο]νεῖν 10
πάντα ἀ[λλ]ὰ ἤδη κ[α]ὶ τῆι νίκηι ἐνπεριει|[λῆφθαι. Ἔτι δὲ
καὶ τοῦτο τὸ διάτ]αγμα ὁ[μ]αλώσει [τὴν] μεγαλειότητα [το]ῦ
Ῥωμα[ί|ων δήμου διὰ τὸ τὴν αὐτὴν ἀξίαν] περὶ τοὺς [ξένο]υς
γεγενῆσθαι. (*Reliqui versus omissi sunt.*)

l. 2. νικήσαντα, Segré. l. 4. ἐτίμησαν καί, Segré.
l. 7. τὰ χαριστήρια, Segré. l. 9. πολιτευμ]άτων, χωρίς, Meyer.
l. 10. [πρόπαν οὐ μόνον συμπο]νεῖν, Segré.
l. 11. [λῆφθαι. Ἔτι δὲ καὶ τοῦτο τὸ διάτ]αγμα ὁ[μ]αλώσει, Segré; [λεῖσθαι. Ἔτι δὲ καὶ τοῦτο τὸ πρ]άγμα ἐ[. .] . λωσει, Meyer.
l. 12. [διὰ τὸ τὴν αὐτὴν ἀξίαν] περὶ τοὺς [ξένο]υς, Segré.

The origin of this document is unknown, but it probably came from Heptacomia. The papyrus is unfortunately preserved in a seriously mutilated condition, and its restoration is an exceedingly difficult problem. We have followed the text adopted by Beltrami incorporating the restorations proposed by Segré (*loc. cit.*). The document presents to us the only copy of the edict of Caracalla whereby he conferred Roman citizenship on the *peregrini* in the empire. This version is manifestly a Greek translation of the original edict published in Latin. The translator retained the Latin word *dediticii*, apparently because there is no adequate phrase to express the meaning in Greek, and the discussion of the edict depends almost entirely on the interpretation of the word. Meyer, whom Wilcken follows, interprets *dediticii* as *λαογραφούμενοι* or those subject to the poll-tax (Meyer, *loc. cit.*; Wilcken, *Grundzüge*, 55 *ff.*). Wilcken estimates the population of Egypt at this period at about seven millions, and assumes that those possessing a fortune of 100,000 sesterces, or about two millions, received citizenship by this edict. It is probable that his estimate of the wealthy class is entirely too high, and if the same proportion prevailed in the rest of the empire, the use of the word *ἅπασι* is a travesty (*Archiv*, 5, 426 *ff.*). Rostowzew (*Gesch. d. röm. Kol.* 222 *ff.*) identifies the *λαογραφούμενοι* with the *ὁμόλογοι*, and assumes that the latter is a translation of *dediticii*. However, the terms *ὁμόλογοι* and *λαογραφούμενοι* must have been perfectly familiar to the translator, and the scribe would undoubtedly have used one or other of them if they expressed the meaning required. The definition of *dediticii* in the legal language is also contrary to this interpretation, for Gaius (*Inst.* 1, 14) explains the term as applied to those who had fought against Rome and who had surrendered on defeat. It could not, therefore, be applied to the Egyptians without great difficulty. Moreover Justinian does not recognize the class of *dediticii*, and certainly does not apply the term to payers of poll-tax (*Cod. J.* 7. 5. 1; 7. 6. 1). The interpretation of Segré (*Atti della soc. it. per il progresso delle scienze, Settima Riunione*, Siena, 1913, 1013 *ff.*) seems worthy of consideration. He joins the phrase *χωρὶς τῶν δεδειτικίων* with the genitive absolute construction to which it logically belongs and explains *δεδειτικίων* as *civitates stipendiariae*. The edict, according to this view, preserved the privileged position of federated states and colonies with Latin rights, etc., but conferred Roman citizenship on members of tribute-paying states, and removed the legal disabilities under which these people labored in the eyes of the law (Mitteis, *Reichsrecht und Volksrecht*, 90 *ff.*, 159 *ff.*). Latin rights were finally abolished by Justinian (*Cod. J.* 7. 6. 1, 6) as no longer having any meaning (*supervacua adiectio Latinitas aboleatur*).

Wilcken properly discounts the motive for the edict cited by Dio (*Archiv*, 5, 426 ff.), but his own theory that the edict was promulgated to foster the imperial cult seems equally wide of the mark. This cult first originated in the provinces where the gift of Roman citizenship was rarely enjoyed, and was especially fostered by the non-Roman element (*cf.* pp. 163 *ff*). His theory might be true for Egypt, but not for any of the provinces. In our opinion the edict was designed to relieve the peculiar situation which had developed in the municipalities at this period. In Egyptian cities both Romans and Alexandrians enjoyed a general immunity from local liturgies (*cf.* nos. 165, 173), and it is very probable that in the non-Roman communities throughout the rest of the empire the Romans enjoyed similar privileges. The veterans on discharge were granted Roman citizenship and general immunity from liturgies (*cf.* pp. 106 *f.*; no. 38) in the cities where they took up their residence. In many cities we find guilds of Roman citizens who form a corporation distinct from the general mass of the citizens, although there is occasionally cooperation. Most important, however, is the fact that in the great number of inscriptions which record liturgies, there are very few cases which indicate that a Roman discharged these duties for the municipality in which he resided. He was first and foremost a citizen of Rome, and by the law of *origo* this took precedence over any claim which the city in which he lived might exercise. In the few cases where Romans undertook liturgies, it is probable that such duties were discharged voluntarily or before the grant of citizenship was received. Under the empire Roman citizenship was granted freely to individuals and especially to ex-magistrates in communities which enjoyed major or minor Latin rights (*cf.* pp. 88, 191 *f.*). The gift was hereditary, and there was, therefore, a constantly increasing class of residents in every non-Roman community which could claim immunity from local liturgies. This class usually consisted of the wealthy members of the community, and the burdens of the city, which were constantly increasing, fell with greater severity upon a narrower circle of the community whose members were less able to undertake them. Under these conditions the municipal organization was in grave danger of complete disruption, and the imperial treasury was consequently faced with a serious problem. The legislation of Caracalla gave the municipalities a new lease of life by distributing the burdens of residents in a more equable manner. The immunity of veterans was reduced to a period of five years, at least for a time (*cf.* no. 177). The guilds of Roman citizens disappeared in the non-Roman states, and the only class which enjoyed exemption from local liturgies were the members of the imperial nobility (*cf.* pp. 103 *ff.*). The edict of Caracalla was a piece of wise and just legislation, and might have been followed by far-reaching results had not the empire been swept by famine, plague, and civil war in the third century. The disastrous effect of these evils was augmented to such an extent by a great increase in the burdens of taxation and by the development of the bureaucratic system that the municipalities were unable to recover financially, and their political development was stifled (*cf.* pp. 190 *ff.*; 228 *ff.*).

## 193. EDICTUM CARACALLAE DE REDITU AEGYPTIORUM IN AGROS

(215 p. Chr.)

*P. Giess.* 40, col. II, ll. 16–29; Wilcken, *Chrestomathie*, 22.

Αἰ[γύπτι]οι πάντες, οἵ εἰσιν ἐν Ἀλεξανδρείαι, καὶ μάλιστα
ἄ[γ]ροικοι, οἵτινες πεφε[ύγασιν] | ἄλ[λοθεν κ]αὶ εὐμαρῶς ε̣[ὑ]ρίσ[κε]σθαι
δύναντα[ι], πάντηι πάντως ἐγβλήσιμοί εἰσιν, ο[ὐχ]ὶ |
μ[έν]τοι γε χοιρέμπο[ρ]οι καὶ ναῦται ποτά[μ]ιοι ἐκεῖνοί τε οἵτινες
κάλαμον πρ[ὸ]ς τὸ | ὑποκαίειν τὰ βαλα[νεῖ]α καταφέρουσι.
20 Τοὺς δὲ ἄλλους ἔγβ[α]λλε, οἵτινες τῶι πλήθε[ι] τῶι || ἰδίωι κα[ὶ
οὐ]χὶ χρήσει ταράσσουσι τὴν πόλιν. Σαραπείοις καὶ ἑτέραις τισὶν
ἑορ|τασί[μοις ἡ]μέραις εἰωθέναι κατάγειν θυσίας εἵνεκεν ταύρους
καὶ ἄλλα τινὰ | ἔνψ[υ]χα ἢ καὶ ἄλλαις ἡ[μ]έραις Αἰγυπτίους
μανθάνω· διὰ τοῦτο οὔκ εἰσι κωλυτέοι. | Ἐ[κεῖνοι] κωλ[ύ]εσθαι
ὀφε[ί]λουσιν, οἵτινες φεύγουσι τὰς χώρας τὰς ἰδίας, ἵνα μὴ |
ε.... ἄγροικον ποιῶσι, οὐχὶ μέντοι, ⟨οἵτινες⟩ τὴν πόλ[ι]ν τὴν
25 Ἀλεξανδρέων τὴν λαμπρο||τάτ[ην] ⟨⟨ην⟩⟩ ἰδεῖν θέλον[τ]ες εἰς
αὐτὴν συνέρχονται ἢ πολειτικωτέρας ζωῆς ἕνε|κεν [ἢ πρ]αγματείας
προ[σ]καίρου ἐνθάδε κ[α]τέρχονται. Μεθ' ἕ[τ]ερα. Ἐπιγεινώσκε|σθαι
γὰ[ρ] εἰς τοὺς λ[ι]νοΰφ[ο]υς οἱ ἀληθινοὶ Αἰγύπτιοι
δύναντ[α]ι εὐμαρῶς φωνῆι, ἢ | ἄλλων [δηλ]οῖ ⟨αὐτοὺς⟩ ἔχειν

ὄψεις τε καὶ σχῆμα· ἔτι τε καὶ ζω[ὴ] δεικνύει ἐναντία ἤθη | ἀπὸ ἀναστροφῆς [πο]λειτικῆς εἶναι ἀγροίκους Α[ἰ]γυπτίους.

This edict of Caracalla is part of a letter addressed to the prefect of Egypt. Cassius Dio refers to the driving of foreigners out of Alexandria by Caracalla excepting only the merchants (77. 23). From the edict we learn that the terms were not as severe as the historian maintains. Dio finds the motive for this legislation in the hatred of the emperor and the extreme lawlessness of the city mob, but it is probable that the urban movement and the desertion of the leaseholds and farms by the peasants were the cause (*cf.* no. 168; Rostowzew, *Gesch. d. röm. Kol.* 211 *ff.*).

## 194. DE SEVERITATE MUNERUM

(216 p. Chr.)

*BGU.* 159; Wilcken, *Chrestomathie*, 408.

. . . . . . . . . . . . αστω . . . τε του πυ . . . . . . . . . . . . καὶ ἀπὸ | τ . . . . . . . [λαχανο]σπέρμου ἀρτ[αβῶ]ν τριῶν . . . τομ . . . . γδ . . . γραμ|μ[ατ . . . . . ο]ὐκ ἐξέδετό μοι. Μετὰ δὲ ταῦτα ἀναδο[θέντο]ς μου | εἰς δη[μοσ]ί[α]ν λειτουργίαν βαρυτάτην οὖσαν ἀπέστ[η]ν τῆς κώμης || οὐ δυνόμενος ὑποστῆναι τὸ βάρος τῆς λειτουργίας. Τοῦ οὖν | λαμπροτάτου ἡγεμόνος Οὐαλερίου Δάτου κελεύσ[αν]το[ς] ἅπαντας τοὺς | ἐπὶ ξένης διατρείβοντας εἰς τὰς ἰδίας κατεισέρχεσθαι, κατεισῆλθον. | Ἐπεὶ οὖν ὁ τούτου υἱὸς Αὐρήλιος Σωτήριχος [ἐ]ξηγητεύσας τῆς αὐτῆς | πόλεως ἐπῆλθέν μοι ἐκπράσσων τὸ τριπλοῦν τοῦ ὀφειλομένου, || ἐπιδίδωμει καὶ ἀξιῶ ἀκοῦσαί μου πρὸς αὐτοὺς καὶ τὸ δοκοῦν σοι κελεύσῃς | γενέσθαι. Διευτύχει. | Α[ὐρ]ήλιος Πακῦσις ὡς (ἐτῶν) ν οὐλ(ὴ) γόνατι ἀριστερῶι. | . . . . ου | (Ἔτους) κδ Αὐτο[κράτορ]ος Καίσαρος Μάρκου Αὐρηλίου Σεουήρου Ἀντωνείνου Παρθικοῦ || Μεγίστου Β[ρεταννικοῦ Μεγ]ίστου Γερμανι[κοῦ Με]γίστου Εὐσεβοῦς Σεβαστοῦ Παῦνι ια.

From the Fayûm. The severity of the liturgy imposed upon Pakysis was so great that he fled from the village. When Valerius Datus published his edict in 216 promising amnesty, Pakysis returned. He was immediately requested to forfeit threefold the cost of the liturgy which he had defaulted. This appears to have been the legal penalty in Egypt and if so, it was much higher than in other parts of the empire (*cf. Cod. Th.* 12. 1. 16). Since the penalty was exacted by an ex-official of the metropolis, it is probable that Pakysis had been nominated to a liturgy in the city, although it is possible that, after the reorganization of Severus, the municipal officials may have been authorized to enforce the performance of the liturgies in the villages of the nome. Wilcken points out that the petitioner states the cause of his flight as if it were the customary method of escape from the burdens of public service (*cf.* pp. 112 *ff.*; nos. 180, 186, 189, 190).

### 195. EDICTUM CARACALLAE DE SENATORIBUS
(213–217 p. Chr.)

*P. Oxy.* 1406.

Αὐτοκράτωρ Καῖσαρ Μ[ᾶρκος Αὐρήλιος] | Σεουῆρος Ἀντωνῖνο[ς Παρθικὸς Μέγιστος] | Βρεταν⟨ν⟩ικὸ[ς Μέγιστος Γερμανικὸς] | Μέγιστος Ε[ὐσ]εβ[ὴς Σεβαστὸς] || λέγει. | Ἐὰν βουλευτὴς τὸν [πρύτανιν ἢ βουλευ]|τὴν τύψηι ἢ μέμψ[ητα]ι ........ ..., | ὁ μὲν βουλ[ε]υτὴς τῆς βουλείας ἀ[παλλά]|ξεται καὶ εἰς ἄτιμον χώραν [καταστή]||σεται. Προετέθη ἐν Β[αβυλῶνι(?)] | ὑπὸ στ[ο]ᾶι δημοσία ἐν[άρχου ἄρ]|χοντος Αὐρηλ(ίου) Ἀλεξάνδρ[ου .....] | ἀπὸ Ἡλίου [π]όλεως

From Oxyrhynchus. This edict gives an interesting sidelight on the proceedings of the municipal councils in Egypt. It would seem that Severus had introduced municipal government before the Egyptians were ready for the responsibilities of it. The meetings of the town councils were marred by unseemly brawls and quarrels, and the emperor was forced to impose the serious penalty of exile on those members who forgot senatorial courtesy so far as to strike the presiding officer or a fellow-member. This document may throw some light on no. 181, ll. 39 *ff.*, where the proceedings in a case of appeal are curiously interrupted by a charge of assault.

### 196. EDICTUM AURELI SERENISCI, *στρατηγοῦ*, DE CENSU
(226 p. Chr.)

*P. Teb.* 288; Wilcken, *Chrestomathie*, 266.

[Αὐρ]ήλιος Σερηνίσκος ὁ καὶ Ἑρμησίας [στ]ρα(τηγὸς) Ἀρσι(νοΐτου) Θε(μίστου) [καὶ] Πολ(έμωνος) μερίδος. | Παραγ⟨γ⟩έλλεται *τοῖς πράκ[τ]ορσι τοῦ ε (ἔτους) τῶν [γε]ωργ(ῶν) | καὶ κληρούχων ἐπακολουθῆσαι τῆι γεινομένηι ἐπ' ἀ|[γ]αθοῖς ἀναμετρήσει τοῦ σπόρου καὶ ἀναγράψασθαι || πᾶσαν τὴν ἐσπαρμένην γῆν ἕν τε πυρῶι καὶ ἄλλοις | γ[ένεσ]ι καὶ τὰ [ὀνό]ματα τῶν κατὰ φύσιν ⟨γε⟩γεωργη|κ[ότ]ων δημοσίων γεωργῶν καὶ κληρ[ο]ύ|χων πρὸς τὸ μηδὲν ἐπὶ ⟨περι⟩γραφῆι τοῦ ἱερωτάτου | ταμείου γενέσθαι ὑπὸ τῶν λαογράφων || ἢ πραγματικῶν, ὡς τοῦ κινδύνου καὶ ὑμεῖν | [αὐ]τοῖς ἅμα ἐκείνοις διοίσοντος, ἐάν τι φανῆι | [κε]κακουργημέ[νο]ν ἢ οὐ δεόντως πεπρ[α]γ|μένον, μηδεμειᾶς προφάσεως ὑμεῖν | ὑπολειπομένης ἐπὶ τῆς ἀπαιτήσεως || ἕνεκεν γνωρισμοῦ· καὶ τῆς μέντοι γει|[ν]ομένης ὑφ' ὑμῶν ἀναγραφὴν τὴν | ἴσην ἐπίδοτε. | (Ἔτους) ε Αὐ[τοκρά]τορος Καίσαρος Μάρκου | [Αὐ]ρηλί[ου] Σεουήρ[ου Ἀλε]ξάνδρου Εὐσεβοῦς || Εὐτυχοῦς Σεβαστοῦ Μεχεὶρ θ.*

l. 16. *lege* ἀναγραφῆς.

From the Fayûm. The instructions issued to the collectors of the taxes in kind by the strategus of the district show that these officials had also to make a record of the seed distributed and of the land sown by the tenants on the public lands and by the cleruchi. Furthermore the collectors, the *λαογράφοι*, and *πραγματικοί* seem to share joint liability if the treasury suffers any loss. The *λαογράφοι* are officials connected with the collection of the poll-tax. The *πραγματικοί* occur but rarely in the Egyptian records and their duties are usually in connection with the allotment of the tax in grain. *Cf. P. Ryl.* 85; *P. Amh.* 107, 108, 109. In *P. Giess.* 58 the title is used as a general term for officials (A.D. 116). Oertel omits this group in his study of the liturgy.

## 197. DE MUNERE DECAPROTORUM

(post 242 p. Chr.)

*P. Oxy.* 62, verso; Wilcken, *Chrestomathie*, 278.

*. . . . ας (ἑκατόνταρ)χ(ος) ἐπὶ κτήσ(εων) | [θεο(ῦ)(?) Τ]ίτου Σύρωι διαδε|[χο]μένωι στρατηγίαν χαί(ρειν). | [Ἐξα]υτῆς λαβών μου τὰ || [γρ]άμματα πέμψον | [το]ὺς κληρονόμους Ἀπο[λ]||λωνίου τοῦ δεκαπρώτ[ο]υ | τῆς Θμοισεφὼ τοπαρχ(ίας), | ἵνα μὴ ἐκ τῆς σῆς ἀμε||λείας ἐνέδρα περὶ τὴν | ἐμβολὴν γένηται.*

*Ἔ|πεμψα δὲ εἰς τοῦτο τὸν | στατιωνάριον ἀλλὰ | καὶ τοὺς*
15 *λοιποὺς δεκα||πρώτους, ἵνα δυνη|θῶμεν, ὅθεν ἐὰν δ⟨έ⟩ηι, | τὴν*
*ἐμβολὴν ποιῆσαι | διὰ τάχους.* (2nd H.) *Ἐρρῶσθέ σε εὔχομαι.*

From Oxyrhynchus. From this letter of the centurion in charge of the imperial estates we learn that the heirs of a decaprotus were liable for the obligations of the liturgy during the remainder of the term of the deceased. This office was introduced into Egypt after the reorganization by Severus. There were normally two for each toparchy. There is some doubt as to whether they were members of the local senate or not (*cf.* Wilcken, *Grundzüge*, 218; *Klio*, 1, 147 *ff.*; Jouguet, *Vie munic.* 366 *ff.*; Oertel, *Die Liturgie*, 211 *ff.*; *R.E. s.v.*; *P. Oxy.* 1410), but they were apparently nominated by the senate. The liturgy, however, is not municipal but imperial (Jouguet, *op. cit.* 369), and in this respect it apparently differs from its counterpart in the rest of the empire. Grenfell is of the opinion that the office was usually held for five years (*P. Oxy.* 1410), and the evidence seems to support the view that the office was held for a number of years in the later period, but this was not because of the normal tenure of the liturgy. The edict of Magnius Rufus (*P. Oxy.* 1410) merely forbids reappointment, and there is no implication that the legal period of the liturgy was longer than a year.

## 198. DE CESSIONE BONORUM EORUM QUI MUNERA DECLINANT

(250 p. Chr.)

*C.P.R.* 20; Wilcken, *Chrestomathie*, 402.

Col. 1

*[Αὐρήλιος Ἑρμόφι]λος Ὡρίωνος κοσμητεύσας Ἑρμοῦ πόλεως*
*τῆς μεγάλης ἀρχαίας καὶ λαμπρᾶς καὶ σεμνοτάτης | [Αὐρηλίωι*
*Εὐδαίμ]ονι τῶι καὶ Θεοδότωι γυμνα[σι]αρχήσαντι καὶ ἀρχιερα-*
*τεύσαντι βουλευτῆι διαδεχομένωι τὴν πρυ|[τανείαν τῆς αὐτ]ῆς*
*πόλεως τῶι τιμιωτάτ[ωι] χαίρειν. Φθά[σ]ας μὲν ἐπέστειλα τῆι*
*κρατίστηι βουλῆι διὰ σοῦ | [τὰ διὰ τοῦ ἐ]πιστάλματος τοῦ τοῦ*
*νομοῦ στρατηγοῦ Αὐρηλίου Ἱέρωνος διὰ Αὐρηλίου Ἑ[ρ]μοῦ στρα-*
5 *τηγικ[ο]ῦ || [ὑπηρέτου ἀ]ντιγραφέντα μοι ὑπὸ τοῦ λαμπροτάτου*
*ἡμῶν ἡγεμόνος Ἀππίου Σαβείνου, πρὸς ἃ ἠξί|[ουν παρ'] αὐτοῦ*

*ἐξιστανόμενος πάντων ὧν ἔχω τοῖς προβαλομένοις τὸν ἡμέτερον υἱὸν | [Αὐρήλιον Ὡρίω]να τὸν καὶ Ἑρμαῖον εἰς κοσμητείαν τῆς αὐτῆς πόλεως μεθ’ ἣν ὑπογύως | [ἐξετέλεσα ὑπὲρ] ἐμαυτοῦ ἐξαναλωθείς, δι’ ὧν ἠθέλησεν τὸν κίνδυνον τῆς προβολῆς εἶναι πρὸς | [τοὺς ὀνομάσαντ]ας, τὸν δὲ [τ]οῦ νομοῦ στρα⟨τη⟩γὸν βίαν γεινομένην κωλῦσαι, εἰ γείνο[ι]το παρὰ τὰ ὑπ’ αὐτοῦ || [σωτηρίως διηγορευθ]έντα, ἅπερ ἐπενήνεκται ἀκολούθως τῆι ἐκδοθείσηι μοι ὑπὸ τοῦ εἰς τοῦτο ἐπισταλέν|[τος ὑπηρέτου ὑ]πογραφῆι ἐπὶ τῆς μ[ι]ᾶς καὶ εἰκάδος τοῦ ὄντος μηνὸς Ἐπείφ. Ἐχθὲς δὲ ἥτις ἦν κβ̄ | [Ἐπείφ, ἐξεδόθη μοι] διὰ βουλευτ[ι]κοῦ ὑπηρ⟨έτ⟩ου ἐπίσταλμά σου τοῦ Εὐδαίμ[ο]νος τοῦ καὶ Θεοδότου αὐτο|[προσώπως ἀντεπ]ισταλέντ[ο]ς περὶ τῆ[ς α]ὐτῆς ἀρχῆς μετ’ ἔκστασιν καὶ παραμορισθέντα ἐκ τῶν νόμων | [καὶ] τῆς [ὑπογρα]φῆ[ς] ἐπιφ[θ]όνως τινὰ δηλώσαντος κατὰ τὸ ἀναγκαῖον. Καὶ νῦν ἀντεπιστέλλω σοι, || ἐπ[ε]ιδ[ήπερ τῶι] ἐκστάντ[ι] καὶ τῶν ἰδ[ί]ων ἀφισταμένωι ὑπάρχει ἐκ τῶν νόμων καὶ τῶν θείων διατά|[ξ]εων . . . . . η . [. . . βο]ήθεια τὸ μηδεμίαν βίαν πάσχειν [ο]ἷς ἁρμοζόμενος ὁ λαμπρότατος ἡγεμὼν καὶ | [κ]αθοσιο[ύμ]εν[ος] ἠθέλησεν [τὸ]ν στρατηγὸν βίαν κωλῦσαι, προσθεὶς τὸν κίνδυνον τῆς προβολῆς εἶναι περὶ | [τοὺ]ς ὀνομ[ά]σαντας. Εἰ δὲ οἴει, σὺ [αὐ]τὸς τὰ πάντα μου λαβὼ[ν] ἀντὶ τοῦ νενομισμένου τρίτου τὰ τῆι ἀρχῆι [δ]ιαφέροντα | [π]άντα ἀ[π]οπληρώσεις καὶ [μ]ὴ ἐνεδρεύειν μή[[δ]]τε τὴν πόλιν μήδε τὴν κρατίστην βουλήν. Ἀρκεσθή||[σο]μαι γὰρ τῶιδ[ε] τῶι ἀντεπι[σ]τάλματι ἐ[ν] μεγίστωι δικαιώματι. Αὐρήλιος Ἑρμόφιλος Ὡρίων[ος] κοσμητεύσας | [ἐρρῶσθ]αί σε εὔχ[ομ]αι, φίλτατε. | [(Ἔτους)] α´ Αὐτοκρά[το]ρος Καίσαρος Γαΐου Μεσσίου Κυίντου Τραιανοῦ Δεκίου Εὐσεβοῦς Εὐτυχοῦς Σεβαστοῦ Ἐφεὶπ κγ̄.*

## Col. II

*Αὐρηλίωι Ἀππίωι Σαβείνωι τῶι λαμπροτάτωι ἡγεμόνι | παρὰ Αὐρηλίου Ἑρμοφίλου Ὡρίωνος κοσμητεύσαντος Ἑρμοῦ πόλεως τῆς μεγάλης ἀρχαίας | καὶ λαμπρᾶς καὶ σεμν[ο]τάτης. Ἐπίσταλμα δισσὸν γραφὲν ὑπ’ ἐμοῦ πρὸς τὸν τὴν πρυτα|νείαν διαδεχόμενον Αὐρή[λ]ιον Εὐδαίμονα τὸν καὶ Θεόδοτον γυμνασιαρχήσαντα βουλευτὴν || τῶν [α]ὐτ(ῶν) Ἑρ(μοπολιτῶν) πρὸς ἃ αὐτὸς ἀ[ντ]ε[π]έστειλέν μοι αὐτοπροσώπως μόνος περὶ κοσμη-*

τείας | εἰς ἣν ὠνομάσθη οὐ δεόντως ὁ ἡμέτερος υἱὸς Αὐρήλιος Ὡρίων ὁ καὶ Ἑρμαῖος μεθ' ἣν ἐξε|τέλεσα ὑπὲρ ἐμαυτοῦ προτέ[ρ]αν ὑπογύως φθάσαντός μου ἐπιστείλαντος τῆι κρατίστηι | βουλῆι δι' αὐτοῦ τὰ ἀντιγραφέντα μοι ὑπὸ τοῦ λαμπροτάτου ἡγεμόνος σοῦ τοῦ δεσπότου | δηλαδὴ [ἐ]ξ ἀξιώσεώς μου μ[ε]τ' ἐκστάσεως πάντων τῶν ὑπαρχόντων μου πρὸς τὴν ἄνο||μον ὀνομασίαν καὶ μὴ δε[χο]μένου αὐτὰ ὡς περιέχει ἀποτίθεμαι ἐν τῶι ἐνταῦθα | Σεβαστείωι παρὰ τοῖς εἴ[χ]νεσι τοῦ κυρίου ἡμῶν καὶ θεοφιλεστάτου Αὐτοκράτορος | Γαΐου Μεσσ[ί]ου Κυίντου Τραιανοῦ Δεκίου Εὐσεβοῦς Εὐτυχοῦς Σεβαστοῦ καὶ Ἑρεννίας | Κουπρεσσήνας Ἐτρουσκίλλας Σεβαστῆς ἅμα τῶιδε τῶι μαρτυροποιήματι πρὸς τὸ μηδὲν | τὸ σὸν μέγεθος λανθάνειν, ἀσφαλιζόμενος τὴν περὶ ἐμὲ φρουρὰν διὰ ὑπηρέτου βουλευ||τικοῦ καὶ φύλακος τῆς πρυτανείας ἔτι ἀπὸ εἰκάδος τοῦ ὄντος μηνὸς Ἐπεὶφ παρὰ τὰ | ὑπὸ σοῦ σωτηρίως διηγορευμένα, φυλασσομένων μοι ὧν ἔχω παντοίων δι[κ]αί|ων. | (Ἔτους) α' Αὐτοκράτορος Καίσαρος Γαΐου Μεσσίου Κυίντου Τραιανοῦ Δεκίου Εὐσεβοῦς Εὐτυχοῦς | Σεβαστοῦ Ἐπεὶφ κγ̄. Αὐρήλιος Ἑρμόφιλος Ὡρίωνος κοσμητεύσας ἀπεθέμην || ὡς πρόκειται. | (2nd H.) Α(ὐρήλιος) Ἡρωδίων ἔσχον ἴσον. (Ἔτους) α' Ἐπεὶφ κγ̄. Τούτων τὰ ἴσα ἀπέθου.

From Hermopolis. The petition of Hermophilus is most important for the study of municipal administration in Egypt after the reforms of Severus. Hermophilus had recently held the office of cosmete and claims to have been almost ruined by the expenses attached to this magistracy. His son was now nominated for the same office without his father's consent and Hermophilus appealed to the prefect offering to cede all his property to the nominators according to the law. The prefect accepted his proposal and sent instructions accordingly to the strategus that Hermophilus should not suffer loss of citizenship or corporal restraint (*cf.* no. 185). This acceptance had been forwarded by Hermophilus to the civic council and he had surrendered his property according to law. The council, however, was apparently free to accept or reject the proposal and it proceeded to order the arrest of Hermophilus in order to compel him to accept the liability for his son's proper performance of the magistracy. Thereupon Hermophilus writes to the prytanis or presiding officer of the council offering the whole of his income, without reserving the customary third, to the prytanis if the latter will relieve him from the burden of undertaking the magistracy on behalf of his son, and will administer his estate on behalf of the liturgy. From this it is probable that the nomination had been made by the prytanis, though this inference is not absolutely necessary. In the second column Hermophilus lodges a copy of the correspondence in the shrine of the Augusti and appeals again to the prefect. In this case he characterizes the nomination as illegal although there is no implication of this charge in his previous correspondence. It is assumed that Horion was a senator although he is not designated by any official title in the petition. However, it is probable, although not certain, that only members of the council could be nominated to magistracies (*cf.* pp. 89 *f.*). The illegality may rest in the nomination to office of members in the same family without due regard to the law of *vacatio* (*cf.* no. 177 and p. 88).

The law whereby two-thirds of the revenues of a surrendered estate were appropriated for the liturgy which the owner had refused to accept, and one-third was reserved for the use of the owner by the nominator or nominators who administered the estate for the benefit of the liturgy which they were compelled to undertake, is unknown elsewhere. Mitteis has brought together all the evidence which bears on this problem in his excellent commentary on the legal aspects of this petition (*C.P.R.* 20), although Grenfell has cast some doubt on his interpretation of the document (*P. Oxy.* 1405). *Cf.* pp. 89 *f.*, nos. 181, 185; *P. Ryl.* 77 notes; *Hermes*, 32 (1897), 651 *ff.*; 55 (1920), 21 *ff.*

## 199. DE TRAPEZITIS OXYRHYNCHI

(260 p. Chr.)

*P. Oxy.* 1411.

*Αὐρήλιος Πτολεμαῖος ὁ καὶ Νεμεσιανὸς| στρατηγὸς Ὀξυρυγχείτου. Τῶν δημοσίων εἰς | ἓν συναχθέντων καὶ αἰτιασαμένων |*
*τοὺς τῶν κολλυβιστικῶν τραπεζῶν || τραπεζείτας ὡς ταύτας* 5
*ἀποκλεισάν|τ[ω]ν τῶι μὴ βούλεσθαι προσ⟨⟨σ⟩⟩ίεσθαι | τὸ θεῖον*
*τῶν Σεβαστῶν νόμισμα, ἀ[νάγ]|κη γεγένηται παραγγέλματι*
*π[αραγ]|γελῆναι πᾶσει τοῖς τὰς τραπέζας κεκτ[ημέ]||ν[οι]ς ταύτας* 10
*ἀνοῖξαι καὶ πᾶ[[η]]ν [[π]]νόμι|σ[μ]α προσίεσθαι πλὴν μάλισ[τα]|*

παρατύπου καὶ κιβδήλου καὶ κατακ[ερμα]|τίζειν, οὐ μόνοις δὲ
15 αὐτοῖς ἀλλὰ [τοῖς] | καθ' ὅντινα δὴ τρόπον τὰς συνα[λλα]||γὰς
ποιουμένοις, γεινώσκουσι[ν] | ὡς, εἰ μὴ πειθαρχήσιαν τῆιδε τ[ῆι
παρ]|αγγελίαι, πειραθήσονται ὧν τὸ [μέ]|γεθος τῆς ἡγεμονίας
20 καὶ ἔτι ἄνω[θεν] | ἐπ' αὐτοῖς [[το με]]γε[[θοσ]]νέσθαι πρ[οσ]||έ-
ταξεν. Ἐσημειωσάμην. Ἔτου[ς πρώ]|το[υ] Ἀθὺρ[[ι]] ὀγδόῃ
κ[[ει]]αὶ εἰκάς.

l. 5. *lege* ἀποκλείσαντας.

From Oxyrhynchus. The officials of the city accused the bankers of the city, who dealt in exchange, of closing their doors and refusing to accept the new imperial coinage. The strategus ordered the banks to open and to accept and exchange all coin except the spurious and counterfeit on the pain of suffering the penalties already prescribed in the past by the prefect for similar acts. For the banking problem in Roman Egypt, *cf.* Preisigke, *Girowesen.* The importance of this document lies in its value in the economic history of the period rather than in its bearing on municipal institutions. The depreciation of the currency by successive emperors was apparently accompanied by laws compelling banks under state control to accept the new issue at the same value as the old, or at a value fixed above its real worth. Accordingly when a new issue came into circulation there was a rush to exchange it for the older and purer coinage. The banks of exchange would close their doors or refuse to part with their reserves, but they were again and again compelled to open and exchange money by the edicts of the prefects. *Cf.* nos. 81, 133.

## 200. DE NOMINATIONE EORUM QUI MUNERA SUBEUNT

(265 p. Chr.)

*P. Fior.* 2, VII, ll. 166–201; Wilcken, *Chrestomathie*, 401.

(4th H.) [Φλάυιος Πα]νί[σκ]ος ὁ καὶ Λό[γγο]ς στρα(τηγὸς)
Ἑρμοπολ(είτου). | [Τοῦ δοθέν]το[ς] μοι προσ[αγγ]έλματος ὑπὸ
κωμαρχῶν | [κώμης Ἐν]σεῦ διὰ τῶν λῃσ[τοπ]ιαστῶν εἰσδιδόν|-
170 [των] τοὺς δι' αὐτοῦ ἐγ[γεγ]ραμμένους εἰς τὴν || [ἀν]θ' ἑαυτῶν
κωμαρχίαν [ἴσ]ον δημοσίαι | [πρ]όκειται, ἵνα πάντες ε[ἰδ]ῶσι
καὶ οἱ εἰσαγ'|γελέντες ἔχωνται τῶν [ἐγχει]ρισθέντων αὐτοῖς |

ὑγιῶς καὶ πιστῶς εἰς τὸ ἐ[ν μηδ]ενὶ μεμφ[θῆ]ναι. | (5th H.) Ἐσημει[ωσά]μην. ||

(4th H.) (Ἔτους) ιβ′ τοῦ κυρίου ἡμῶν Γαλ[λι]ηνοῦ Σεβαστοῦ |
Ἐπεὶφ γ̄. |

(1st H.) Φλαυίωι Πανίσκωι τῶι καὶ Λόγγωι [στ]ρατηγῶι Ἑρμοπολείτου | π[αρὰ] Αὐρηλίων Τυράννου Ἑρμα[πό]λλωνος καὶ Παθώτου | . . . . . . . ἀμφοτέρων κωμαρχῶ[ν κ]ώμης Ἐνσεῦ δι’ ἡμῶν, || Αὐ[ρη]λίων Πόλλωνος Παθώ[του κ]αὶ Ὥρου Ἁτρῆτος ἀμφοτέ|ρων ληιστοπιαστῶν [κα]ὶ τῶν [λοιπ]ῶν δι’ ἡμῶν τῶν πα|ρόντων. Δίδομεν καὶ προσα[γγ]έλλομεν τοὺς ὑπογε|γραμμένους κωμάρχας, ἐφ’ ὧι α[ὐτ]οὺς ἀντιλα[βέσθ]αι τῆς | χρείας ἀπὸ σήμερον, ἥτις ἐστὶν [γ′ τ]οῦ Ἐπεὶφ το[ῦ ἐνεστ]ῶτος || ιβ′ (ἔτους), ὄντας εὐπόρους καὶ ἐπι[τη]δείους κινδύ[ν]ωι ἡμῶν | καὶ πάντων τῶν καταμενόν[τ]ων ἐν τῆι αὐτῆι κώ|μηι ἐξ ἀλληλεγγύης, οὓς καὶ ἡμ[εῖ]ς ἐγγυώμεθα. Εἰσὶ δέ. | Παῆσις Κολλούθου μητ(ρὸς) . . . . ης | ὡς (ἐτῶν) με′, πόρ[ον ἔ]χ(ων) (δραχμῶν δισχιλίων) || Ποτάμων Παήσιος μητ[ρὸς . . . . .]ήσιος | ὡς (ἐτῶν) λε′, πόρ[ον ἔ]χ(ων) (δραχμῶν δισχιλίων). | Διευτ[ύχει]. | (Ἔτους) ιβ′ Αὐτοκράτορος Καίσαρ[ος Πουπλί]ου Λικιννίου | Γαλλιηνοῦ Γερμανικοῦ Μεγίστ[ου Εὐσε]β[οῦς Εὐτυ]χοῦς || Σεβαστοῦ Ἐπεὶφ γ′. (2nd H.) Οἱ π[ροκείμενοι κω]μάρχαι | δι’ ἡμῶν τῶν παρόντ[ων ληιστοπια]στῶ(ν) | ἐπιδεδώκαμεν. Α[ὐρήλιος . . . . . . . . | . . ]ος ἔγραψα ὑπὲρ αὐτ(ῶν) [γράμματα μὴ εἰδότων] |. (3rd H.?) Ἐσημ(ειωσάμην). || (6th H.) Τύρανν[ος ὑπηρέτης δημοσίαι προθεὶς κα|τε]χώρ(ισα).

From Hermopolites. This document is important for the history of the liturgy of the comarch. This official replaced the village-elders in the control of the affairs of the village after the municipal reorganization. There were usually two in each village and they were nominated by their predecessors in office. It is noteworthy that, in this period, not only the nominators, but also the citizens and the residents of the village were bound as sureties for the proper fulfilment of the liturgy (*cf.* Wilcken, *loc. cit.* note on l. 186; Oertel, *Die Liturgie*, 153 *ff.*; nos. 171, 196; pp. 99 *ff.*). The epistrategus had no longer any connection with the appointment of officials in the villages as this document was issued by the strategus (*cf.* Wilcken, *Grundzüge*, 349).

## 201. DE CONDUCTIONE AGRORUM PUBLICORUM

(266 p. Chr.)

*C.P.H.* 119, recto, col. vii; *C.P.R.* 39; Wilcken, *Chrestomathie*, 377.

[Τ]ῆι κρατίστηι βουλῆι Ἑρμοῦ πόλεως τ[ῆς μεγάλης] | ἀρχαίας καὶ λαμπρᾶς καὶ σεμνοτάτ[ης διὰ Αὐρηλίου] | Κορελλίου Ἀλεξάνδρου ἱππικοῦ ἀπὸ στρ[ατιῶν] | γυμνασιάρχου βουλευτοῦ ἐνάρχου πρυτάνεως || τῆς αὐτῆς πόλεως καὶ ὡς χρηματίζει | [πα]ρὰ Αὐρηλίου Μενελάου Πασχειοῦτος μητρὸς | Ἐγεῦτος ἀπὸ κώμης Θελβώνθεως. Βούλομαι | [ἑ]κουσίως μισθώσασθαι ἐκ τοῦ π[ο]λειτικοῦ λόγου | ἐπὶ χρόνον ἔτη τέσσαρα ἀπὸ τοῦ ἐνεστῶτος ιδʹ (ἔτους) || περὶ τὴν α[ὐ]τὴν Θελβῶνθιν ἐκ τοῦ Φιλοκράτους | κλήρου ἀρούρας ἓξ εἰς ⟨σ⟩πορὰν πυροῦ καὶ ἀναπαυ|ματικῶν γενῶν κατ᾽ ἔτος κατὰ τὸ ἥμισυ, ἐκφορί|ου καὶ φόρου κατ᾽ ἔτος ἀποτά[κ]του τῶ[ν ὅλων] | ἀρουρῶν πυροῦ ἀρταβῶν δέκα ὀκτὼ καὶ ἀργυ||ρίου δραχμῶν ἑβδομήκοντα δύο, ἃς ἀποδώσω | καὶ μετρήσω ἐν τῶι Παῦνι καὶ Ἐπεὶφ μησὶ κατ᾽ ἔτος, | τὸ μὲν ἀργύρι[ο]ν δόκιμον, τὸν δὲ πυρὸν εἰς τὸ δη|μόσιον πρώτηι μετρήσει μία[ν] δοχικῶι ἀντὶ | μιᾶς Ἀθηναίου καὶ ᾽ποίσω μέτρησιν κα[θ]αρὰν εἰς τὸ || . . ασταλῆναι, τῶν δημοσίων πάντων τῆς γῆς | καὶ ἐπιμερισμῶν ὄντων πρὸς τὸν τῆς πόλεως | λόγον. Ἐὰν δὲ ὃ μὴ γείνοιτο ἄβροχος γένηται ἀπὸ το[ῦ] | ἑξῆς ἔτου[ς], ἐπάναγ᾽κες ἐπαντλήσω κ[αὶ] τελέσω | τῶν προκειμένων φόρων τὸ ἥμισυ, ἐπιθαί||ματος δὲ γεινομένου ἐξὸν ἑτέροις μεταμισθοῦν | ἢ καὶ αὐτουργ[ῖ]ν καὶ ἐπερωτ(ηθεὶς) ὡμολ(όγησα.) (Ἔτους) ιδʹ Αὐτοκράτορο[ς] | Καίσαρος Πουπλίου Λικιννίου Γαλλιηνοῦ | Γερμανικοῦ Μεγίστου Περσικοῦ Μεγίστου Εὐσεβοῦς | Εὐτυχοῦς Σε[β]αστοῦ Χοίακ γʹ. || [Α(ὐρήλιος)] Μενέλα[ος Πασχειοῦτ]ος μεμίσθωμαι ὡς πρόκ(ειται). | Α(ὐρήλιος) Κοπρῆ[ς ἔγρ(αψα) ὑ(πὲρ) αὐτ(οῦ) μ]ὴ εἰδ(ότος) γρ(άμματα).

From Hermopolis. This document gives the terms of a lease of the public lands of the city from the municipal council for a term of four years. The rental is paid partly in kind, partly in money. It is noteworthy that the lessee states that his contract is voluntary on his part, implying that compulsory leaseholds were not unknown at this period. In case of lack of water in any season the lessee pays

half the stipulated rental, but in case the city receives a better offer for the lease of the land during the term of the leasehold, it has the right to cancel the lease. From this document it is apparent that the municipality now controlled a certain amount of land in the nome, and it is probable that Severus transferred some if not all of the state lands in the nome to the municipality when he instituted the new organization (*cf.* pp. 29 *f.*; Wilcken, *Grundzüge*, 308).

## 202. EPISTULA SENATUS HERMOPOLITANI AD *στρατηγόν*
(266–267 p. Chr.)

*C.P.H.* 52; Wilcken, *Chrestomathie*, 38.

*[Ἑρμοῦ πόλεως τῆς μεγάλης] ἀρχαίας [καὶ λαμπροτάτης] |*
*[καὶ σεμνοτάτης ἡ κρατίστη βου]λὴ Αὐ[ρηλίωι | . . . . . . . . . . . . . .*
*στρ]ατηγῶι Ἑρμ[οπολίτου | τῶι φιλτά]τωι [χαίρειν· || . . . . . . .* 5
*. . . . . . . .]τα τοῦ κυρίου . . . . . . . . . . .| . . . . . . . . . . . . . . . . . . . .ς*
*πᾶσι καὶ π. . . . . . . . . . .| . . . . . . . . . . . . .ν μέρος τῶν αρ[. . . . .*
*. . . .| . . . . . . . . . . . .φο]ρολογίας και π. . . . . . . . . . .| . . . . . . . . .*
*ερου ταύτης ἐγδ[. . . . . . . . || . . . . . . . . . . . . . . ὁ λαμ]πρότατος* 10
*ἡγεμὼ[ν . . . . . . . . . . .| . . . . . . . . . . . .]ταγμα ἀπειλ. . . . . . . . . . . .|*
*. . . . . . . . καὶ δεκάπρωτον ὡς ἐπιχειρησ. . . . . . . . . . . .| . . . . .*
*. . . . . . ἀπαιτ[εῖ]ν τὸ ὑποπείπτον τρίτον μέρος . . . . . .|.ρας*
*ἀναγκαίως ἐψηφισάμεθα ⟨καταφυγεῖν⟩ πρὸς τὸ μέγεθο[ς] || αὐτοῦ* 15
*[ἀ]ξιοῦντες παραδεχθῆναι ἡμῖν τὰ μ[ὴ] | δεόντως ἀπῃτημένα*
*εἰς ἄλλα ἡμῶν ὀφλήμα|τα καὶ [πι]στεύομεν κατὰ τὴν ἔμφυτον*
*αὐτοῦ | πρὸς το[ὺς ὑπ]ηκόους φιλανθρωπίαν καὶ πρὸς τὰ θεῖ[α] |*
*εὐσέβε[ιαν] ἐπινεύσειν τῆι δεήσει τοῦ κοινοῦ ἡμῶν || συνεδρίου.* 20
*Ἐπειδὴ δὲ ἀναγκαῖον ἦν δε καὶ σὲ ἐπιστέλ|λεσθαι κάτω καὶ*
*ἀπόσχηι τοιαύτης | εἰσπράξεως, ἣν παρὰ τὰ θείως διηγορευμένα |*
*γεινομένην ἐμέμψατο ἡ μεγαλειότης τοῦ | λαμπροτάτου ἡγεμόνος,*
*ἀκολούθως τοῖς ἐν ἡ||μῖν δόξασιν ἐπιστέλλομέν σοι ε[ἰδ]ότι ὡς* 25
*οὐ|δενὶ ἀκίνδυνον Αὐτοκρατόρων χάριτι | [ἀ]ντι[βλ]έπειν, λόγου*
*φυλασσομένο[υ τ]ῆι πόλει | καὶ τῆι βουλῆι περὶ οὗ ἔχουσι*
*παντὸς δικαίου· || ἀκολ(ούθως) τοῖς ἐν ἡμ(ῖν) δόξ(ασι) ἐπιστέλ-* 30
*[λομέν] σοι αὐτὰ ταῦ|τα, ἵν' εἰδῆις κ(αὶ) π(ερι)μείνης τὸν τ(ῆς)*
*ἡγ(εμονίας) ὅρον | ὡς οὐδὲν ἀκίνδυνον αὐτοκρατορικᾶι χάρι|τι*
*[ἀντι]βλέπειν. | (Ἔτους) ιδ' [Αὐ]τοκράτορος* Καίσαρος Που-

πλίου || Λικιννίου Γαλλιηνοῦ Γερμανικοῦ Μεγίστου | Περσικοῦ Μεγίστου Εὐσεβοῦς Εὐτυχοῦς Σεβάστου | . . .

l. 14. *καταφυγεῖν* supplied by Wilcken.
l. 20. Ἐπειδὴ δ' corrected by scribe to Ἐπειδὴ δέ: *ἦν καὶ* to *ἦν δε καί.*
l. 21. *κατ' ειδηο κάτω* corrected by scribe to *κάτω.*
l. 29. *καὶ μείνηις τὸν τῆς ἡγεμονίας ὅρον* erased by scribe.
l. 30. *εἰδότι τα* corrected by scribe to *αὐτὰ ταῦτα.*

From Hermopolis. Unfortunately this piece of papyrus is very fragmentary and its meaning can only be made out in part. It is evident, however, that the city was heavily in arrears in its quota of tribute, and the senators appealed to the prefect to have certain sums illegally exacted credited to their indebtedness. The strategus had paid no heed to their protests and had continued his exactions in spite of the law—apparently an edict which forbade the strategus to collect arrears by confiscation or by fines until appeals were decided. The senate hereby warns the strategus to desist until the prefect visits Hermopolis on his next judicial circuit.

## 203. ACTA SENATUS OXYRHYNCHI

(270–275 p. Chr.)

*P. Oxy.* 1413.

. . . . . η καὶ ψήφισμα αὐτῶι ἐπὶ τούτοις γινέσθω εἰς ἡμιχώριον τ. . . . . . . . . . . .υδ. . . . . | . . . . .ας δὲ εἰσηγοῦμαι. Σεπτίμιος Σερῆνος ὁ καὶ Ἰσχυρίων ἐξηγητὴς εἶ[π(εν)] . . . . . . . .ρ. . . . . . . . . . . . . . . καὶ ω[. . . .|. . .ἐπὶ τού]τοις τοῖς ὅροις. Οἱ βουλευταὶ εἶπ(ον)· ὠκεανέ, ἐξηγητά. | [ὁ πρύτανις εἶπεν· τὸ μεγα]λῖον τοῦ κυρίου ἡμῶν Αὐρηλιανοῦ Σεβαστοῦ. Ὀνομάσατε οὖν καὶ βουλευτὰς ἵνα τὰ στεπτικὰ αὐτῶν εἰσ[. . . . . . . || οἱ βουλευταὶ εἶπον· . . . . .]ι. Ὁ πρύτανις εἶπ(εν)· προτρέψασθε οἱ ἐξηγηταί τινας. Οἱ ἐξηγηταὶ εἶπ(ον)· προτραπήτω [Σ]ερῆνος εἰς ἐξηγητείαν. Ὁ πρύτανις εἶ[π(εν)· . . .|. . . Σα]βεῖνος καὶ ὡς χρημα(τίζει) πρυτανεύσας εἶπ(εν)· ὁ Πλουτίων στεπτικὸν ἔτι ὀφείλει ἧς ἀνεδέξατο ἀπὸ τιμῶν ἐξηγητείας. Ὁ πρύτ[ανις | εἶπ(εν)· . . . . γ]ραμματεὺς πολειτικῶν εἶπ(εν)· ναί. Ἰουλιανὸς ὁ καὶ Διοσκουρίδης ἐξηγητὴς εἶπ(εν)· Πλουτίων ὀφείλει στεπτι[κόν], οὔκουν [. . .|. . . Οἱ βουλευτ]αὶ εἶπ(ον)· ὁ ὀνομασθεὶς ἐπὶ τῶι ἰδίωι πόρωι ὠνομάσθη. Σεπτίμιος Διογένης ὁ καὶ Ἀγαθὸς Δαίμων γενόμενος ὑπομνηματογρ[ά]φος καὶ . . . . | . . . [ὡς χρηματ(ίζει) σύνδικος εἶπ(εν)·

Σερῆνό(?)]ς ἐστιν γυμνασίαρχος. Ὁ πρύτανις εἶπ(εν)· ὀνομάσατε ἄλλους, ἵνα κἂν τὸ ἐξηγητικὸν συσταθῆι. Οἱ ἐξηγηταὶ εἶπ(ον)· προτραπήτω Ἴων υἱὸς . . .||. . . . [εἰς τὴν ἐξηγητεί]αν τοῦ πάππου. Σεκοῦνδος Σεκούνδου ἀρχιερεὺς εἶπ(εν)· ἐπιτηρείσθω οὖν ὁ ὀνομασθείς. Ὁ πρύτανις εἶπ(εν)· αἱροῦμαι εἰς ἐπιτή|[ρησιν . . . . . . Φιλέαν καὶ] Πλουτεῖνον ἵνα τὴν πίστιν ἀποπληρώσωσιν τῆι βουλῆι. Οἱ βουλευταὶ εἶπ(ον)· ἁγνὲ πιστὲ Φιλέα, ἁγνὲ πιστὲ Πλο[υ]τεῖνε. Τούτων [. . | . . . ὑπερτεθέντων εἰς τὴν] ἑξῆς βουλήν, ὁ πρύτανις εἶπ(εν)· καὶ αἱ ἄλλαι ἀρχαὶ ὀνομασάτωσαν. Ὀνομάσατε δὲ καὶ βουλευτάς. Οἱ ἀπὸ τῆς τρίτης φυλῆς εἶπ(ον)· . . . . | . . . [Ὁ πρύτανις εἶπ(εν)· ἐπι]τηρήσει Νεῖλος βουλευτής. Οἱ βουλευταὶ εἶπ(ον)· ἁγνὲ πιστὲ Νεῖλε, ἀεὶ καλῶς Νεῖλος, βοήθειαν αὐτῶι. Οἱ ἀπὸ τῆ[ς τ]ρίτης φυλῆ[ς | εἶπ(ον)· Σεπτίμιος Διογένης ὁ καὶ Ἀγαθὸς Δαίμων γενόμενος ὑπομνηματογράφος καὶ ὡς χρημα(τίζει) σύνδικος εἶπ(εν)· . . .]κατείληφα πόρον, τουτέστιν γενήματα ἀποκείμενα ἐν τῶι Μονίμου, καὶ ὅταν γνωσθῆι ἡ ποσότης, παρατε[θ]ήσεται ὑμῖ[ν. . . . || . . . .]φος καὶ ὡς χρημα(τίζει) εἶπ(εν)· ὅσοι νῦν ὠνομάσθησαν ὑπὸ Φελέου καὶ Ἡρακλιδίωνος ὠνομάσθησαν. Οἱ βουλευτ[α]ὶ εἶπ(ον)· ἀπὸ ὅλης . . . . | [τῆς φυλῆς(?). . . . ἁγνὲ πισ]τὲ Ὡρίων γεουχῶν ἐν Νεσμείμι, ἁγνὲ πιστὲ Λεωνίδη γεουχῶν ἐν Δωσιθέου, ἁγνὲ πιστὲ Βη[σ]αρίων γεου|[χῶν ἐν . . . . . . . . Σεπτίμιος Διογένης ὁ καὶ Ἀγαθὸς Δαίμων γενόμενος ὑπομνηματογράφος καὶ ὡς χ]ρημα(τίζει) σύνδικος εἶπ(εν)· ἵνα προτράπωσιν καὶ ἄρχωσιν οἱ ὀνομαζόμενοι, τὸ πρωτενίαυτον τῆς λιτουργησία[ς . . . . . | . . . . . . . . . | . . . . . . . . Πτολεμαῖος γυμνασίαρχος εἶπ(εν)· . . . . . . . ε]ἰς τῆ[ν τρια]κάδα τοῦ Μεσορὴ χρεῖσαι. Τῆι μὲν τριακάδι οὐκ ἔχρεισεν, ἀλλὰ τῆι ἑξῆς νεομηνίαι δι' ἐμοῦ ἔ[χρεισε]ν, παραδεχ[. . . . . . . , || β . . . . . .]ς ὁ τοῦ Φιλοσόφου, γ ἐπεστάτει Θεόδωρος υἱὸς Πτολεμαίου καὶ οὐκ ἔχρεισεν, ἀλλ' ἐγὼ ἐκ προχρείας [ἔχρεισ]α. Ἐὰν οὖν [. . . . . | . . . . . οἱ βουλευταὶ εἶπ(ον)·] ὠκεανὲ Πτολεμαῖε, ὠκεανὲ γυμνασίαρχε. ια Διονύσιος ὁ καὶ Ἀρτεμίδωρος, ιβ Ἀριστίων ὁ καὶ Ἀνδ[ρόνει]κος Ἀσ[υ]γκρί[του . . . . | . . . . . . γυμνασίαρχος εἶπ(εν)· . . .] ἡ ἐναλλαγὴ τῶν ἡμερῶν. Οἱ βουλευταὶ εἶπ(ον)· κύρια τὰ ψηφίσματα. ιγ Ξενικὸς καὶ οἱ μέλλοντες γυμ[νασιαρχεῖν, . . . . . | . . . . . . . . .] Σερῆνος Ἀμμωνίου γυμνασίαρχος εἶπ(εν)· μὴ βλαπτέτω μου τὸ ψήφισμα ἡ ἐναλλαγὴ τῆς ἡ[μ]έ[ρας

............|...... εἰ] καὶ μὴ ἔχρεισεν. κη Σεουῆρος καὶ
Ἐπίμαχος οἱ τοῦ Φιλοσόφου. Οἱ βουλευταὶ εἶπ(ον)· ὠκε[ανὲ
25 Σερῆνε, ὠκεανὲ γυμνασίαρχε .....||.... ὁ πρύτανις εἶπ(εν)·
.....] ὁ ἐπείκτης χρυσοῦ στεφάνου καὶ νείκης τοῦ κυρίου ἡμῶν
Αὐρηλιανοῦ Σεβ(αστ)οῦ Ἰο[υλι........ | ...... τοῦ κυρίου
ἡμῶν Αὐρηλια]νοῦ Σεβαστοῦ καὶ ὅτι καὶ ὁ στέφανος αὐτοῦ ἤδη
ἐγένετο, καὶ εἰ μὴ οἱ τεχνεῖται [............| ...τὰ σκ]εύη
ταῦτα κατ' εὐχὴν γείνεται. Ἄλλα δώδεκα τάλαντα δοθήτω τοῖς
τεχνείτα[ι]ς .......|...... Οἱ βουλευταὶ εἶπ(ον)· οἱ αὐτοὶ
ἀπαιτείτωσαν. Θέων ὁ καὶ Ὠριγένης Χ[αιρήμον(?)]ος καὶ ὡς
χρ[ημα(τίζει) εἶπ(εν)· ........|..... δύν]ασθε αὐτοὺς ἀπαι-
τῆσαι. Οἱ βουλευταὶ εἶπ(ον)· ἁγνοὶ πιστοὶ ἀπαιτηταί. Εὔπορ[ος]
30 ὁ καὶ Ἀγα[θὸς Δαίμων καὶ ὡς χρημα(τίζει) εἶπ(εν)· ....||...]ναι,
ἐὰν [μ]ὴ τελειωθῆι τὸ ἔργον. Ὁ πρύτανις εἶπ(εν)· καὶ ὁ κράτι-
σ[τος] ἐπιστράτηγος δ[....|....... Εὔπορος ὁ καὶ Ἀγαθὸς
Δαίμων κ]αὶ ὡς χρημα(τίζει) εἶπ(εν)· ὅταν οὖν εὐθέως ἔλθηι,
ἐπειχθήσεται τ[ὸ ἔ]ργον. Οἱ βουλε[υταὶ ε]ἶ[π(ον)· ........|
.....]τε Εὔπορε, εὐδιοίκητε Εὔπορε. Σεπτίμιος Διογένης ὁ καὶ
Ἀγαθὸς Δαίμων γενόμ[ενος ὑπομνηματογράφος | καὶ ὡς χρημα-
(τίζει) σύνδικος εἶπ(εν)· εἴ τι τοῖ]ς τεχνείταις ἐν πίστι ἀναλί-
σκεται, παρατεθήσεται ὑμῖν. | ..... [Ὁ πρύτανις εἶπ(εν)·
......] που ἦν καὶ ἐπεστάλη τότε τὸ κοινὸν τῶν κοσμητ[ῶν διὰ
35 Κ]ορνηλιανοῦ καὶ Παυσαν[ίου .......||.....]ος δεδη[λωκέν]αι
πρὶν ἂν τὸ πᾶν ἀνάλωμα δοθ[ῆι ........] Μάξιμον εν...δ[..
..|........... λιτουργ(?)]ησίαν ..... ἕως τοῦ Παχὼν α....
........|.........του.........ο.ς αἰτησω........

From Oxyrhynchus. This record of the proceedings in the senate at Oxyrhynchus was written on an unusually broad sheet of papyrus. More than eighty letters have been lost from the beginning of the lines, and the part of the document still preserved can be interpreted only in part. Sufficient remains, however, to give valuable information in regard to the organization of the senate, the procedure in appointment to magistracies and liturgies, and details in regard to municipal administration. The first three lines give the conclusion of a discussion about filling an official post, probably that of exegetes. The prytanis apparently brings the proposal before the senate in each case. In ll. 4–18 the topic is the appointment of municipal magistrates, particularly the exegetae and their ἐπιτηρηταί. The latter are evidently official guardians of the officials elected, and apparently the senators are more interested in them than in the nominees to office. The relations of these guardians or supervisors to the exegetae are uncertain. They may have administered the duties of the office while the exegetae provided the funds, but it is more probable that they were responsible in some way for the person of the candidate, and were appointed to prevent his flight or avoidance of the liturgy and its obligations. Supervisors of gymnasiarchs (*P. Oxy.* 471) and of the office of agoranomus (Oertel, *Die Liturgie*, 239 *f.*) are also known, and the latter sometimes replaces the agoranomus (*P. Oxy.* 1413, l. 10 note). The relation of the magistrate, his supervisor, and his nominators becomes a complicated problem which cannot be solved with the scanty evidence available. In l. 4 the prytanis opened the debate with a reference to honoring the emperor by the nomination of senators to magistracies in order that their payments for crowns of office should be available for the state. Evidently, at this period, only senators were available for magistracies (*cf.* pp. 89 *f.*). The exegetae were asked to nominate candidates to succeed themselves or possibly to fill a vacancy in the college. They suggested a certain Serenus (?) for the post. The remarks of the prytanis, probably a request for more names, are lost. Sabinus now called attention to the fact that Plution had not paid his fee for the crown on entering the college of exegetae. This statement was confirmed by the secretary of the municipal treasury and the debate was continued, probably with a warning that the precedent should not be followed by Serenus. The senators made the statement that the nominee (Plution or Serenus) was named on the security of his own property. The syndic then apparently closed the discussion about Serenus with a remark of which the point is obscure, but which perhaps implied that Serenus was ineligible because he already held the post of gymnasiarch. The exegetae then nominated Ion and, on the proposal of the chief-priest, Phileas and Plutinus were named as Ion's supervisors. Next comes a reference to business, probably concerning the supervisors, which is deferred to the next meeting. The prytanis then calls upon the other colleges to make nominations for office, and he also asks for nominations to the senate. The third tribe, whose turn it was, apparently, to make nominations for liturgies during the following year (*cf.* no. 191; Jouguet, *Vie munic.* 410 *f.*), now made a nomination for some office and the prytanis named a supervisor. In this case only one supervisor is named, and the office must be different from that to which Ion was nominated, as two ἐπιτηρηταί were named for the exegetes. The third tribe then made another nomination, but the syndic intervened explaining that he had impounded the property of some individual (probably the person whose name had just been mentioned) and would report on its value later. The meaning of ll. 15–17 is obscure. Grenfell thinks that objection was made to the previous nomination because only two names supported it. This was followed by the selection of candidates on the nomination of the senate collectively, and chosen from the whole body of the tribe or of the senate. The debate concluded with some remarks concerning the first year of their liturgy. This may imply that liturgies were now held for a longer term than one year which has hitherto been regarded as the normal tenure of office. In ll. 19–24 we find some new information about the gymnasiarchs. They took turns in providing the oil, each furnishing the requisite amount for one day. The gymnasiarchs-elect also were required to share this burden, but in a body, not singly. From *P. Oxy.* 1418 (A.D. 247) we learn further that the office was often held for longer terms than a year, although the incumbent may have only been called upon to serve for short periods of a few days each time. In ll. 25 *ff.* the debate deals with the preparation of a gold crown due from the city, and the method of raising money to pay for it.

## 204. ACTA SENATUS OXYRHYNCHI

(270–275 p. Chr.)

*P. Oxy.* 1414.

[. . . . . ὀ]φίλε[τα]ι [κ]αὶ τάλ[α]ντα δεκατέσσαρα. Ἡ τιμὴ τῶν ρ σ[τι]χ[α]ρίων τάλαντα ἑκατὸν τεσσαρ[άκοντα | . . . . . . .]ἀπέχω τὰ διαφέροντα τῶι νομῶι εἰς τὸ μέρος τῆς πόλεως ἓξ ἥμισοι. Μηνιαῖοι ἀποδοῦναι ἐκ τῆς ἰδίας ἀπαιτείσθωσαν ἑ[πτὰ ἥμισυ . . | . . . .]χίζεται. | . . . .[Ὁ πρύτανις εἶπ(εν)· τὴ]ν τοῦ ἱεροῦ

*γραφ[ὴ]ν κ[ατ]εσκέψασθαι καὶ ὅρον δεδώκατε καὶ ἐπεστάλη⟨ν⟩ τὰ δόξαντα ὑμεῖν τῶι στρατηγῶι, ἀλλὰ [οἱ ἱερεῖς μὴ ||. . . . . τοὺς τὸ ἔρ]γον τοῦτο μεταχειρισαμένους μηδὲ τὰ[ς] γυναῖκας αὐτῶν δύνασθαι κλώθειν τὸ λεῖνον προεβάλοντο . . | . . . . . . . . α . . . . ὅπως καὶ περὶ τοῦτο ὅρον δῶτε· ὀλίγε γὰρ κῶ[μα]ί εἰσιν αἱ ἐν τῶι νομῶι ὑμῶν τοῦτο τὸ εἶδος ἔχουσιν. Οἱ βου[λ]ε[υταὶ εἶπ(ον)· . . | . . . . . . ]ναι. Σεπτίμιος Διογένης ὁ καὶ Ἀγαθὸς Δαίμων γενόμενος ὑπομνηματογράφος καὶ ὡς χρημα(τίζει) σύν[δικος εἶπ(εν)· οἱ λινέμποροι(?) . . | . . . . . . ]σαι καὶ ἐ[κ] τεσσαράκοντα ἐννέα δηναρίων εἶναι τὸ λεῖνον τὸ στημονικόν, ἕνδεκα δὲ δηνάρια αὐτοῖς ἐξωδιάσθη ἀπ[ὸ τοῦ ταμιακοῦ λόγου | . . . . γ]ενέσθαι. [Οἱ βο]υλευταὶ εἶπ(ον)· [δε]καεννέα δηναρίοις ἀρκείσθωσαν οἱ λεινένποροι⟨⟨ς⟩⟩ μετὰ τὸ ἐξωδιαζ[ό]μενον ἀπὸ τοῦ τα[μ]ι[ακοῦ λόγου. Σεπτίμιος Διογένης ὁ καὶ Ἀγαθὸς Δαίμων γενόμενος || ὑπομνηματογρά]φος καὶ ὡς χρημα(τίζει) σύνδικος εἶπ(εν)· εἰ τοῦτο ὑμ[ῖ]ν [ἔ]δοξεν ἐπὶ τοῦ στημονικοῦ, πεῖραν προσενεγκοῦμ[ε]ν καὶ τοῖς μέλλουσι[ν ὑφαίνειν | . . . . . ] ταξάτωσάν τινα οἱ λινόϋφοι οἱ μέλλοντες ὑφαίνειν τὴν ὀθόνην τοῦ ἱεροῦ ἀνα . . . . | . . . [ἀναγνωσθείσης ἀξ]ιώσεως τῶ[ν τῆ]ς πόλεως λινοΰφων περὶ τοῦ μετὰ τὰς πέρυσιν ἐξοδιασθεῖσαν αὐτοῖς [ὑπὲρ . . . δραχμὰς δοθῆναι ἄλλας δραχμὰς | . . . . . . . δι]ὰ [τὴ]ν πλεοτιμίαν [τῶ]ν εἰδῶν καὶ τὴν πλεομισθίαν τῶν ὑπουργ[ῶ]ν, μετὰ τὴν ἀνάγνωσιν ὁ π[ρύτανις εἶπ(εν)· δοθήτωσαν τοῖς λινοΰφοις ἄλλαι δραχμαὶ | . . . . κο]ντα εἰς [σ]υνπλήρωσιν δραχμῶν διακοσίων διὰ τὴν πλεοτιμίαν τῶν εἰδῶν. Τοῦτο ψηφ[ίσασθε || . . . συντε]τιμημένου τοῦ κρίκου καὶ αὗται προσγενέσθωσαν. Οἱ τελοῦντες τὴν τιμὴν τοῦ [λίνου(?) | . . . . . . . ]π[α]ρατεθήσεται ὑμῖν τῇι ἑξῆς βουλῇι. Οἱ βουλευταὶ εἶπ(ον)· οἵτω. | . . . . . . . [ἀναγ]νωσθέντος ἐπιστάλματος Τερεντίου Ἀρίου στρα(τηγοῦ) περὶ τοῦ αἱρεθῆναι εκα[. . . . | ἔδοξεν ὑπερτεθῆνα]ι [ε]ἰς τὴν ἑξῆς βουλήν. | . . . [ἀναγνωσθέντος ἐπιστά]λματος τ[οῦ] στρατηγοῦ περὶ αἱρέσεως ἄλλω[ν κατα]πομπῶν ζώιων με[τὰ τὴν ἀνάγνωσιν ὁ πρύτανις εἶπ(εν)· || . . . . ] μάλιστα [δὲ] τῶν κ[ατ]απομπῶν τῶν καταφε[ρομέν]ων ζώιων τοῖς ἅμα τ[ο]ῖς καταφ[ερομένοις . . | . . . . . . . ]υπον συνάξας τινὰς τοὺς παρ[ό]ντας ἀπὸ τῆς βουλῆς ὠ[ν]ομάσαμεν ἕνα Σαραπ[ίωνα . . . ἵνα μὴ | . . . . . . . ] γ[έ]νηται. Οἱ βουλευταὶ εἶπ(ον)· ἀτίμητε πρύτανι, σώζου ἡμῖν, πρύτανι, καλῶς ἄρχις*

κα[λῶς . . . . . . ὁ πρύτανις εἶπ(εν)· . . . | . . . . . . . ] εν τῶι λογιστηρίωι
ἐστίν. Οἱ βουλευταὶ εἶπ(ον)· ἐπιεικῶς ὁ πρύτανις. |
. . . . [Ὁ πρύτανις εἶπ(εν)· ὁ νόμ]ος κ[ε]λεύει πρὸ ἑξαμήνου τὸν
μελλοπρύτανιν ὀνομάζεσθαι. Ὑπομιμνήσκ[ω ὑ]μᾶς τ. . . . . ||
25 . . . . [οἱ] β[ουλευ]ταὶ εἶπ(ον)· μετὰ σκέψεως ἡ ὀνομασία
γείν[ε]ται τ[. . . . . ὁ πρύτανις εἶπ(εν)· | . . . . . . . ]υ γὰρ ἐ⟨ν⟩
νόσωι εἰμὶ καὶ τῆς πλευρᾶς [ῥ]έγχομαι, ὡς ἐπίστασθαι, καὶ
. . . . . . . . . | . . . [Οἱ βουλευταὶ εἶπ(ον)· . . . . ]δυπε πρύτανι,
εὐγεν[ὲς] πρύ[τ]ανι, ἔτι κάμε ὑπὲρ ἡμῶν, κάμε ἄξια τοῦ ἐπάν[ω
χρόνου. . . . | . . . . Ὁ πρύτανις εἶπ(εν)· . . . . . . . . ] ἐστίν, καὶ οἱ
ἥμι[σ]υ τούτ[ου] τοῦ μέρους [ὀ]φε[ί]λ[ον]τες. . . . εουτιν. . .
δεω. . . . . . [Οἱ βουλευταὶ εἶπ(ον)· . . . . . . . . | . . . . . . . . . . . ὁ]
πρυτανις εἶπ(εν)· ἐπειδὴ σ[ή]μερον πρόσκλητον βου[λὴν ||
30 . . . . . . . . . . . . . . . . . . ]αι π[ρόνο]ιαν ποιήσηται ἅπαν το. . .

From Oxyrhynchus. This document is similar to no. 203. About sixteen letters are lost from the beginning of the lines and about fifty from the ends. The first question discussed deals with the textile industry which was apparently a municipal monopoly (*cf.* Grenfell-Hunt, Introduction to their commentary, and the references cited there). In ll. 1–4 some statement is made about debts and the value of garments. The receipt of six talents and a half of the fourteen talents from the nome on account of the city's share is acknowledged. In ll. 4–11 Grenfell's interpretation is as follows: The topic is the supply of yarn required for making the vestments of a local temple, which was under municipal jurisdiction, and the amount to be paid to the yarn-merchants. Owing to the difficulty of securing yarn the previous budget had to be modified. The village spinners had either refused or had been unable to carry out their engagements, and it had apparently been necessary to apply to the city yarn-merchants for the supply. Their price was considered too high by the senators and they reduced it from 49 to 30 denarii. In ll. 12–16 the weavers, who are organized in a guild, present a petition for higher remuneration in consideration of the increased cost of raw materials and the rise in wages of their assistants. The presentation of the petition to the local senate implies that the city controlled the industry rather than the state.

In ll. 17 *ff.* reference is made to a communication from the strategus concerning the election of some official. Action on this was deferred until the next meeting. A further communication from the strategus dealt with the nomination of some one to convoy animals. The prytanis informed the senate that he had already nominated Sarapion with the approval of some senators who were with him at the time the communication was received in order that there might be no delay. The senate approved his appointment. From this it is clear that the prytanis did not make nominations on his own responsibility, but that he could act in an emergency and have the nomination approved at the next meeting of the senate (*cf.* pp. 89 *f.*; *P. Oxy.* 1412). In ll. 24 *ff.* the prytanis calls attention to the fact that nominations for his office must be made six months in advance, and apparently asks for nominations from the senate. Apparently he was renominated by acclamation, but declined on the ground of ill-health. In this case the prytanis did not nominate his successor as was the case in certain other magistracies. Later the prefect appointed the prytanis (*cf.* no. 206), on the favorable vote of the senate.

## 205. DE EXACTIONE TRIBUTI

(saec. III p. Chr.)

*P. Br. Mus.* 2, 213; Wilcken, *Chrestomathie*, 267.

....εια.....................τατα | ................νοι..τε καὶ ...εσως καὶ | ...δηλῶσαί μοι α...τεκ...ενουσαν | .....ν διάθε[σι]ν ἀλλὰ κ[αὶ] τ[ὴ]ν περι||[γ]ενομένην ἀπ' αὐτῶν πρόσοδον | κα[ὶ τὸ] καθ' ἓν δηλῶσαί μοι. Εἰ γὰρ |δ....ωσει τι πρὸς χάριν πραχθὲν | ἐλέγχθη, αὐτὸς ἐπ[ὶ] τῶ[ν] τόπων | γενόμενος ὅτι ἂν καταλάβοιμι ἐπὶ || περιγραφῆι τοῦ ταμείου πραχθέν, | τοῦτο κατὰ τοὺς τοῦ ταμείου νόμους | ἔκ τε [[ἐκ]] τῶν σῶν ὑπαρχόντων | καὶ ⟨τῶν⟩ ὑπευθύνων κελεύσω ἀποκατα|σ[τ]αθῆναι. Ἐρρῶ(σθαί σε) εὔχο(μαι). ||(Ἔτους) β Μεχεὶρ ζ.

The origin of this piece of papyrus is unknown. It contains part of a rescript or edict of a strategus to the collector of taxes in one of the districts under his supervision. It is expressly stated that the law of the treasury rendered the property of a collector and of his guarantors liable for any fraud practised by him in the collection of the imperial revenues. *Cf. Dig.* 50. 6. 6, 10.

## 206. DE MUNERE εὐθηνιαρχίας

(ca. saec. III fin. p. Chr.)

*P. Oxy.* 1252, verso, col. II.

[Παρὰ τοῦ π]ρυτάνε[ω]ς. | [Δεῖ,] ἡγεμὼν δέσποτ[ά] μ[ο]υ, πᾶσαν εὐθένιαν ὑπάρχειν το[ῖς πολίταις,] | μάλιστα δὲ τὴν τοῦ ἄρτου χορηγίαν. Καὶ νῦν εὐτυχῶς ἡμῖν [. . . . . . . .] | κατὰ τὸν προεληλυθότα ἐνιαυτὸν ἀνανέωσιν πεποίησαι τοῦ στε[φάνου τοῦ] || εὐθηνιαρχικοῦ καὶ ἀγορανομικοῦ πολλῶι χρόνωι τούτων [ἐπιλελοι]|πότων. Αὐτὸς τοίνυν ἐγώ, ἡγ[ε]μὼν κύριε, ὑ[πογύω]ς χειροτονη[θεὶς διὰ] | τῆς εὐτυχοῦς σου δεξιᾶς εἰς τὴν παρὰ Ὀξυρυγχ[είταις] πρυτανείαν ἀ[σμένως (?)] | παρελθὼν ἐπὶ τὸ ἀναδήσασθαι τὸν στέφανον τοῦτον φροντίδ[α οὐδεμί]|αν ἄλλην πεποίημαι καίτοι. . . .να ἔχων τὰ ἐπικείμενά μοι ἀν[αλώμα]||τα εἴς τε τὴν διοίκησιν τῶν δημοσίων λουτρῶν καὶ εἰς τὰ λ[οιπὰ πολι]|τικὰ δαπανήματα καὶ τὸ συνεχῶς τῆι βουλῆι περὶ τῆς τῶν ἀρχόντω[ν ἀποδεί]|ξεως. Καὶ δὴ τὸ τάγμα τὸ τῶν γυμνασιάρχων ἀπέδειξεν [ε]ὐθη[νιάρχας] | τέως ἀπὸ τριῶν τῶν ἐτησίως ζητουμένων μόνους δύο [. . . . . . . .] | Ἡράκλειον υἱὸν Πλουτάρχου καὶ Σαραπάμμωνα υἱὸν . . . .ρ. .[. . . . . .οἵ]||τινες κατὰ μὲν τὴν προτροπὴν τῆς βουλῆς παρελθόντες α[ὐ]τ[ίκα τὴν] | ἀρχὴν παρῃτήσαντο, ὕστερον δὲ πεισθέντες καὶ . . .οντες ἀνελ[άβοντο] | καὶ ἐκ μέρους ἐχορήγησαν τὴν εὐθηνιαρχείαν ἣν ἔδει πᾶσα[ν. . . . .ἐκ] | κλήρου ἀποδοθῆναι τῆι πόλει. Τετραμμένος γὰρ ἐφ᾽ ἑκάστου τέτακται [ἐκ κλήρου] | ὑπὲρ τοῦ αὐτοὺς μὴ ἀθρόως τὴν τετράμηνον χορηγήσαντας ὑ[. . . . . . .] || ἐπιτρίβεσθαι. Προετρεψάμην Ἀμμώνιον Πτολλαρίω[νος ἔναρχον] | γυμνασίαρχον γνωσθέντα ὀφείλειν λοιπὸν μῆνα τῆς εὐθη[νιαρχείας] | ἑαυτοῦ ἐν τῶι μεταξὺ ἀποδοῦναι ὑπὲρ τοῦ τούτους ἀνάκτησιν σ[τήσαντας] | εὐμαρῶς καὶ τὸ ὑπόλοιπον τῆς ἀρχῆς ἀμέμπτως ἀποδοῦναι. Ἀ[λλὰ ἐπεὶ] | ἐπισταλέντες οὗτοι χορηγῆσαι τὰς τροφὰς τῆι πόλει τοῦ ὑπολοίπου [χρόνου] || τῆς ἀρχῆς αὐτῶν ἀντιλέγοντες ἔρρωνται, κατὰ τὸ ἀναγκαῖον [προσφεύγω] | ἐπὶ τὴν σὴν εἰλικρίνειαν ἀξιῶν διὰ τοῦ στρατηγοῦ αὐτοὺ[ς] του. . . . .

From Oxyrhynchus. This document belongs strictly to the Byzantine period, but it has been included in this collection because

we learn that the office of eutheniarch and agoranomus had been discontinued in Oxyrhynchus before the beginning of the Byzantine period and had only recently been revived by the prefect. At the end of the second century Oxyrhynchus had nine and probably twelve eutheniarchs. The office had lapsed like many of the other municipal offices in the third century as the increasing cost of the liturgies attached to the magistracies made all positions in the municipality undesirable and so burdensome that citizens sought to avoid public service at any cost, even by going into exile or surrendering their property (*cf.* pp. 112 *ff.*; nos. 180, 194, 198). In the period of Diocletian's reign it is evident that many changes in organization had taken place. The appointment of the prytanis was ratified by the prefect. The order of gymnasiarchs nominated the eutheniarchs, apparently on their own risk; for they had only nominated two out of the three required. These two had sought to evade the office, but were finally persuaded to undertake the position. Each served four months in order that the difficulties of collective liability might be avoided. The two appointees, having filled the first two terms in a somewhat dilatory fashion, refused to act in the third period of four months, and the prytanis asked the prefect to instruct the strategus to compel them to fulfil their term.

# ABBREVIATIONS

Works frequently cited are designated by the following abbreviations:

Abbott = Abbott, *Roman Political Institutions.*
*An. ép.* = *L'année épigraphique.*
*Archiv* = *Archiv für Papyrusforschung.*
Beaudouin = Beaudouin, *Les grandes domaines dans l'Empire romain.*
*BGU.* = *Aegyptische Urkunden aus den königlichen Museum zu Berlin Griechische Urkunden.*
Bruns = Bruns, *Fontes iuris Romani antiqui.*
*B.C.H.* = *Bulletin de correspondance hellénique.*
Cagnat, *IGRR.* = Cagnat, *Inscriptiones Graecae ad res Romanas pertinentes.*
*CIG.* = *Corpus inscriptionum Graecarum.*
*CIL.* = *Corpus inscriptionum Latinarum.*
*C.P.R.* = *Corpus papyrorum Raineri.*
*C.P.H.* = *Corpus papyrorum Hermopolitanorum.*
*Cod. J.* = *Codex Justinianus.*
*Cod. Th.* = *Codex Theodosianus.*
Dessau = Dessau, *Inscriptiones Latinae selectae.*
*Dict. Dar.* = Daremberg-Saglio, *Dictionnaire des antiquités grecques et romaines.*
*Dig.* = *Digesta corporis iuris civilis.*
Ditt. *Or. Gr.* = Dittenberger, *Orientis Graecae inscriptiones selectae.*
Ditt. *Syll.*$^3$ = Dittenberger, *Sylloge inscriptionum Graecarum*, ed. ter.
*E.E.* = *Ephemeris epigraphica, CIL. supplementum.*
Girard = Girard, *Textes de droit romain.*
Herzog = Herzog, *Geschichte und System der römischen Staatsverfassung.*
Hirschfeld = Hirschfeld, *Die kaiserliche Verwaltungsbeamten bis auf Diocletian.*
*I.B.M.* = *Ancient Greek Inscriptions in the British Museum.*
*IG.* = *Inscriptiones Graecae.*
Jouguet, *Vie munic.* = Jouguet, *La vie municipale dans l'Égypte romaine.*
Karlowa = Karlowa, *Römische Rechtsgeschichte.*
Lafoscade = Lafoscade, *De epistulis imperatorum magistratuumque Romanorum.*
Latyschev = Latyschev, *Inscriptiones antiquae orae Septentrionalis Ponti Euxini, Graecae et Latinae.*

# ABBREVIATIONS

Le Bas-Waddington = Le Bas-Waddington, *Voyage archéologique en Grèce et en Asie Mineure: Inscriptions.*

Liebenam, *St. Verw.* = Liebenam, *Städteverwaltung im römischen Kaiserreiches.*

Madvig, *Verf. u. Verw.* = Madvig, *Die Verfassung und Verwaltung des römischen Staats.*

Marquardt, *St. Verw.* = Marquardt, *Römische Staatsverwaltung.*

Mitteis, *Chrestomathie; Grundzüge* = Mitteis-Wilcken, *Grundzüge und Chrestomathie der Papyruskunde, Zweiter Band: Juristicher Teil. Erste Hälfte; Grundzüge. Zweite Hälfte; Chrestomathie.*

*P. Amh.* = *Amherst Papyri.*

*P. Br. Mus.* = *Greek Papyri in the British Museum.*

*P. Fay.* = *Fayûm Towns and their Papyri.*

*P. Fior.* = *Papiri Fiorentini.*

*P. Giess.* = *Griechische Papyri im Museum d. Oberhess. Geschichtsvereins zu Giessen.*

*P. Oxy.* = *Oxyrhynchus Papyri.*

*P. Ryl.* = *Catalogue of the Greek Papyri in the Rylands Library.*

*P.S.I.* = *Papiri della Società Italiana.*

*P. Teb.* = *Tebtunis Papyri.*

*Prosop.* = *Prosopographia imperii Romani.*

*R.E.* = Pauly-Wissowa-Kroll, *Realencyclopädie der classischen Altertumswissenschaft.*

Riccobono = Riccobono, *Fontes iuris Romani anteiustiniani.*

Rostowzew, *Gesch. d. röm. Kol.* = Rostowzew, *Studien zur Geschichte der römischen Kolonats.*

*Supp. Ep. Gr.* = *Supplementum Epigraphicum Graecum.*

*T.A.M.* = *Tituli Asiae Minoris.*

Tod = Tod, *International Arbitration.*

Wilcken, *Chrestomathie; Grundzüge* = Mitteis-Wilcken, *Grundzüge und Chrestomathie der Papyruskunde, Erster Band: Historische Teil. Erste Hälfte; Grundzüge. Zweite Hälfte; Chrestomathie.*

Wilmans = Wilmans, *Exempla inscriptionum Latinarum.*

# LIST OF DOCUMENTS

## I. DOCUMENTS FROM ITALY AND THE PROVINCES

1. Epistula Flaminini ad Chyretienses (196–194 a. Chr.).
   *IG.* IX, 2, 338; *CIG.* 1770; Ditt. *Syll.*$^3$ 593; Viereck, *Sermo Graecus*, 1.
2. Decretum proconsulis Hispaniae Ulterioris (189 a. Chr.).
   *CIL.* II, 5041; Dessau, 15; Bruns, 70; Riccobono, p. 248.
3. Epistula Spuri Postumi, praetoris, ad Delphos (189 a. Chr.).
   Viereck, *Sermo Graecus*, 10; Ditt. *Syll.*$^3$ 612.
4. Epistula consulis ad Heracleotas (ca. 189–188 a. Chr.).
   *CIG.* 3800; Viereck, *Sermo Graecus*, 3; Ditt. *Syll.*$^3$ 618; *Rev. ét. an.* 19 (1917), 237 *ff.*
5. Senatus consulta de Thisbensibus (170 a. Chr.).
   *IG.* VII, 2225; Ditt. *Syll.*$^3$ 646; Viereck, *Sermo Graecus*, 11; Riccobono, p. 199; Bruns, 37.
6. Senatus consultum de Delo (164 a. Chr.).
   Ditt. *Syll.*$^3$ 664.
7. Senatus consultum de Tiburtibus (ca. 159 a. Chr.).
   *CIL.* I, 201 = XIV, 3584; Dessau, 19; Bruns, 39; Riccobono, p. 204.
8. Senatus consultum de Narthaciensibus et Melitaeensibus (159–147 a. Chr.).
   *IG.* IX, 2, 89; Ditt. *Syll.*$^3$ 674; de Ruggiero, *L' arbitrato pubblico*, 8; Tod, XXXIV; Viereck, *Sermo Graecus*, 12.
9. Epistula Q. Fabi Maximi ad Dymaeos (ca. 139 a. Chr.).
   *CIG.* 1543; Ditt. *Syll.*$^3$ 684; Viereck, *Sermo Graecus*, 4.
10. Sententia Q. M. Minuciorum inter Genuates et Viturios (117 a. Chr.).
    *CIL.* I$^1$, 199 = V, 7749; Dessau, 5946; Bruns, 184.
11. Lex Osca Tabulae Bantinae (150–100 a. Chr.).
    Bruns, 8; Girard, p. 26; Riccobono, p. 130; Buck, *Oscan and Umbrian Grammar*, p. 230; v. Planta, *Gramm. d. osk.-umbr. Dial.* 2, 599; Conway, *Exempla Selecta*, 2.
12. Senatus consultum de controversia inter publicanos et Pergamenos (in. saec. I a. Chr.).
    *E.E.* 4, 213 *ff.*; Viereck, *Sermo Graecus*, 15.
13. Decretum Cn. Pompei Strabonis (90 a. Chr.).
    *CIL.* I$^2$, 709; Dessau, 8888; Girard, p. 61; *An. ép.* 1911, no. 126; *Bull. arch. com.* 38 (1910), 275.
14. Ilienses honorant Lucium Iulium Caesarem (89 a. Chr.).
    Ditt. *Or. Gr.* 440.

15. Tabulae ad memoriam libertatis restitutae servandam aptae (81 a.Chr.).
    *CIL.* I, 587, 588, 589.
16. Senatus consultum de Tabenis (82 a. Chr.).
    Ditt. *Or. Gr.* 442.
17. Senatus consultum de Stratonicensibus (ca. 81 a. Chr.).
    Ditt. *Or. Gr.* 441, ll. 1–129; Viereck, *Sermo Graecus*, 16.
18. Senatus consultum de Amphiarai Oropi agris (73 a. Chr.).
    *IG.* VII, 413; Viereck, *Sermo Graecus*, 18; Ditt. *Syll.*$^3$ 747; Bruns, 42; Riccobono, p. 209; de Ruggiero, *L' arbitrato pubblico*, 25.
19. Lex Antonia de Termessibus (ca. 71 a. Chr.).
    *CIL.* I, 204; Bruns, 14; Dessau, 38; Girard, pp. 68–70; Riccobono, pp. 105–107.
20. Lex municipi Tarentini (ca. 88–62 a. Chr.?).
    Dessau, 6086; Bruns, 27; Riccobono, p. 132; Girard, p. 61.
21. Lex Gabinia Calpurnia de Deliis (58 a. Chr.).
    Dürrbach, *Choix d'inscr. Délos*, 163; *Suppl. Ep. Gr.* I, 335.
22. Epistula proconsulis Asiae ad provinciales (ca. 56–50 a. Chr.).
    Knackfuss, *Das Rathaus von Milet*, p. 101, ll. 38 *ff.*
23. Pergameni honorant Publium Servilium Isauricum (ca. 46 a. Chr.).
    Ditt. *Or. Gr.* 449; Fraenkel, *Alterthümer von Pergamon*, 413.
24. Tabula Heracleensis, vulgo Lex Iulia Municipalis (45 a. Chr.).
    *CIL.* I, 206; Bruns, 18; Dessau, 6085; Girard, p. 80; Riccobono, p. 109.
25. Senatus consultum et epistula Caesaris ad Mytilenaeos (45 a. Chr.).
    *IG.* XII, 2, 35, ll. 14 *ff.*; Cagnat, *IGRR.* 4, 33; Ditt. *Syll.*$^3$ 764.
26. Lex coloniae Genitivae Iuliae seu Ursonensis (44 a. Chr.).
    *CIL.* II, *S.* 5439; Dessau, 6087; Bruns, 28; Girard, p. 89; Riccobono, p. 142.
27. Lex de Gallia Cisalpina, vulgo Lex Rubria de Gallia Cisalpina (49–42 a. Chr.).
    *CIL.* I, 205 = XI, 1146; Bruns, 16; Girard, p. 72; Riccobono, p. 135.
28. Fragmentum Atestinum (49–42 a. Chr.).
    *Notizie degli scavi*, 1880, 213; Bruns, 17; Girard, p. 78; Riccobono, p. 140.
29. Epistulae Antoni et Caesaris ad Plarasenses et Aphrodisienses (39–35 a. Chr.).
    *CIG.* 2737; Viereck, *Sermo Graecus*, 5; Bruns, 43; Ditt. *Or. Gr.* 453–455; Riccobono, p. 217.
30. Epistula Augusti ad Mylasenses (31 a. Chr.).
    Viereck, *Sermo Graecus*, 6; Ditt. *Syll.*$^3$ 768.

31. Titulus operis publici (31 a. Chr.).
    *Notizie degli scavi*, 1915, 139; *An. ép.* 1916, no. 60.
32. Epistula imperatoris, vel proconsulis, ad Mylasenses (ca. 30 a. Chr.).
    Le Bas-Waddington, 3. 442–443; *CIG.* 2695*b*, 2700*e*.
33. Edictum Augusti de aquaeductu Venafrano (17–11 a. Chr.).
    *CIL.* X, 4842; Bruns, 77; Girard, p. 186; Riccobono, p. 316; Dessau, 5743.
34. Decretum concili Asiae de fastis provincialibus (ca. 9 a. Chr.).
    Ditt. *Or. Gr.* 458, ll. 78 *ff.*; *Inschriften von Priene*, 105.
35. Epistula P. Corneli Scipionis, proconsulis Asiae, ad Thyatirenos (7–6 a. Chr.).
    Cagnat, *IGRR.* 4, 1211; Viereck, *Sermo Graecus*, 8.
36. Epistula imperatoris Augusti ad Cnidios (6 a. Chr.).
    Viereck, *Sermo Graecus*, 9; Cagnat, *IGRR.* 4, 1031; *IG.* XII, 3, 174; Ditt. *Syll.*³ 780.
37. Iusiurandum Paphlagonum (3 a. Chr.).
    Cagnat, *IGRR.* 3, 137; Ditt. *Or. Gr.* 532.
38. Res gestae divi Augusti (28 a. Chr.–6 p. Chr.).
    *CIL.* III, pt. II, pp. 769 *ff.*; Cagnat, *IGRR.* 3, 158.
39. Edictum proconsulis Asiae de muro Ephesio (ca. 11 p. Chr.).
    *I.B.M.* 521; Viereck, *Sermo Graecus*, 7; Ditt. *Syll.*³ 784.
40. Epistula proconsulis Asiae ad Chios (5–14 p. Chr.).
    *CIG.* 2222; Cagnat, *IGRR.* 4, 943; Ditt. *Syll.*³ 785.
41. Titulus honorarius (ca. 14 p. Chr.).
    *CIL.* III, 1741; Dessau, 938.
42. Titulus sepulchralis (p. 14 p. Chr.).
    *CIL.* III, 5232; Dessau, 1977.
43. Decretum centumvirorum (26 p. Chr.).
    *CIL.* XI, 3805; Dessau, 6579.
44. Tabula patronatus (27 p. Chr.).
    *CIL.* V, 4919; Dessau, 6100.
45. Fasti magistratuum municipalium (p. 33 p. Chr.).
    *CIL.* X, 1233; Dessau, 6124.
46. Lites inter Cierenses et Metropolitanos (11–35 p. Chr.).
    *IG.* IX, 2, 261; de Ruggiero, *L' arbitrato pubblico*, 31; Tod, XLI.
47. Iurisiurandi Aritiensium in principem formula (37 p. Chr.).
    *CIL.* II, 172; Dessau, 190; Bruns, 101.
48. Decretum et iusiurandum Assiorum (37 p. Chr.).
    Bruns, 102; Cagnat, *IGRR.* 4, 251; Ditt. *Syll.*³ 797.
49. Edictum Claudi de civitate Anaunorum (46 p. Chr.).
    *CIL.* V, 5050; Dessau, 206; Bruns, 79; Girard, p. 188; Riccobono, p. 318; de Ruggiero, *L' arbitrato pubblico*, 39.

50. Oratio Claudi de iure honorum Gallis dando (48 p. Chr.).
    *CIL.* XIII, 1668; Dessau, 212; Bruns, 52; Riccobono, p. 228; Nipperdey's *Tacitus*[10], 2, 317–322.

51. Edictum Claudi de cursu publico (49–50 p. Chr.).
    *CIL.* III, *S.* I, 7251; Dessau, 214.

52. Decretum Rhodiorum de libertate (51 p. Chr.).
    *IG.* XII, 1, 2, *et corrigenda*, p. 206; Cagnat, *IGRR.* 4, 1123.

53. Titulus honorarius (p. 54 p. Chr.).
    *Compt. rend. de l'acad. d. inscr. et bel. lettr.* 1915, 396; *An. ép.* 1916, no. 42.

54. Epistula imperatoris Neronis ad Rhodios (55 p. Chr.).
    Cagnat, *IGRR.* 4, 1124; Ditt. *Syll.*[3] 810.

55. De praediis publicis Gortyniorum (64 p. Chr.).
    Ἀρχαιολογικὸν Δελτίον, 2 (1916), 6.

56. Oratio imperatoris Neronis de Graecorum libertate (67 p. Chr.).
    *IG.* VII, 2713; Ditt. *Syll.*[3] 814.

57. Decretum Petroni et Pupi de finibus Sagalassensium (54–68 p. Chr.).
    de Ruggiero, *L' arbitrato pubblico*, 40; Cagnat, *IGRR.* 3, 335; Ditt. *Or. Gr.* 538.

58. Decretum proconsulis Sardiniae de finibus Patulcensium et Galillensium (69 p. Chr.).
    *CIL.* X, 7852; Dessau, 5947; Bruns, 71*a*; Girard, p. 179; Mommsen, *Ges. Schr.* 5, 325 *ff.*; Riccobono, p. 256; de Ruggiero, *L' arbitrato pubblico*, 43.

59. Rescriptum Vespasiani ad Vanacinos (ca. 72 p. Chr.).
    *CIL.* X, 8038; Bruns, 80; Girard, p. 190; Riccobono, p. 320.

60. Titulus sacer (76 p. Chr.).
    *CIL.* II, 1610; Dessau, 1981.

61. Epistula Vespasiani ad Saborenses (78 p. Chr.).
    *CIL.* II, 1423; Dessau, 6092; Bruns, 81; Girard, p. 190; Riccobono, p. 320.

62. Lex de officiis et honoribus flaminis provinciae Narbonensis (69–79 p. Chr.).
    *CIL.* XII, 6038; Dessau, 6964; Riccobono, p. 159; Bruns, 29; Carette, *Les assemblées prov. de la Gaule rom.* 445 *ff.*

63. Epistula Domitiani ad Falerienses (82 p. Chr.).
    *CIL.* IX, 5420; Bruns, 82; Girard, p. 191; Riccobono, p. 321.

64. Lex Salpensa (81–84 p. Chr.).
    *CIL.* II, 1963; Dessau, 6088; Bruns, 30*a*; Girard, p. 108; Riccobono, p. 162.

65. Lex Malacitana (81–84 p. Chr.).
    *CIL.* II, 1964; Dessau, 6089; Bruns, 30*b*; Girard, p. 112; Riccobono, p. 168.

65*a*. Edictum L. Antisti Rustici, legati Domitiani, de annona coloniae Antiochiae (ca. 93 p. Chr.).
    *Trans. Am. Phil. Assoc.* 55 (1924), 5 *ff.*; *Journ. Rom. Studies*, 14 (1924), 180.

66. Titulus honorarius (81–96 p. Chr.).
    *CIL.* II, 1945; Dessau, 1982.

67. Titulus honorarius (96–97 p. Chr.).
    *B.C.H.* 44 (1920), 73; *An. ép.* 1922, no. 30.

68. Epistulae Laberi Maximi et aliorum de finibus Histrianorum (43–100 p. Chr.).
    *An. ép.* 1919, no. 10; *Annales de l'académie Roumaine*, 38, no. 15; Wilhelm, *Anzeiger der Akad. der Wissen. in Wien*, 59 (1922), 78 *ff.*; *Suppl. Ep. Gr.* I, 329.

69. Decretum Chiorum de pecunia administranda (saec. I p. Chr.).
    Cagnat, *IGRR.* 4, 948.

70. Smyrnaeorum Portaria (saec. fere I vel II p. Chr.).
    *I.B.M.* 1021; Ditt. *Syll.*³ 1262; Cagnat, *IGRR.* 4, 1427.

71. Epistula Aquili Proculi, proconsulis Asiae, ad Ephesios (104 p. Chr.).
    *I.B.M.* 481 (pt. IV, p. 246, ll. 336 *ff.*); Laum, *Stiftungen*, 74.

72. Titulus operis publici (111 p. Chr.).
    *An. ép.* 1904, no. 59.

73. Senatus consultum et epistula Traiani ad Pergamenos de ludis instaurandis (112–117 p. Chr.).
    *CIL.* III, *S.* 7086; Cagnat, *IGRR.* 4, 336; Fraenkel, *Alterthümer von Pergamon*, VIII, 2, 269.

74. Epistula procuratorum ad colonos Villae Magnae (116–117 p. Chr.).
    Bruns, 114; Girard, p. 870; Riccobono, p. 352.

75. Epistula imperatoris Traiani ad Astypalaeenses (117 p. Chr.).
    Cagnat, *IGRR.* 4, 1031; *IG.* XII, 3, 175.

76. Epistula imperatoris Hadriani ad Astypalaeenses (118 p. Chr.).
    Lafoscade, 19; Cagnat, *IGRR.* 4, 1032*c*; *IG.* XII, 3, 176; Ditt. *Syll.*³ 832.

77. Epistula legati ad Pompaelonenses (119 p. Chr.).
    *CIL.* II, 2959.

78. Epistula imperatoris Hadriani ad Ephesios (120 p. Chr.).
    Lafoscade, 23; Ditt. *Syll.*³ 833.

79. Epistula imperatoris Hadriani (?) ad Heracleotas (121–125 p. Chr.).
    *B.C.H.* 21 (1897), 162.

80. Epistula legati Lyciae, Valeri Severi, ad Rhodiapolitanos (125 p. Chr.).
    Lafoscade, 104; Cagnat, *IGRR.* 3, 739, c. 16.

81. Rescriptum imperatoris Hadriani (?) ad Pergamenos de collybo (125 p. Chr.?).
    Ditt. *Or. Gr.* 484; Fraenkel, *Alterthümer von Pergamon*, VIII, 2, 279.

82. Epistula Avidi Quieti, proconsulis Asiae, ad Aezanitas (125–126 p. Chr.).
    *CIG.* 3835; Le Bas-Waddington, 860–863; Lafoscade, 93; Ditt. *Or. Gr.* 502; Cagnat, *IGRR.* 4, 571; *CIL.* III, 355, *S.* 7003; de Ruggiero, *L' arbitrato pubblico*, 57.

83. Epistula imperatoris Hadriani ad Stratonicenses (127 p. Chr.).
    Lafoscade, 23; Cagnat, *IGRR.* 4, 1156*a*; Ditt. *Syll.*³ 837; Riccobono, p. 325.

84. Epistula Pomponi Vettoniani, legati Lyciae, ad commune Lyciorum (128 p. Chr.).
    Cagnat, *IGRR.* 3, 739, c. 14; Lafoscade, 103.

85. Epistula imperatoris Hadriani ad Ephesios (129 p. Chr.).
    Lafoscade, 26; *I.B.M.* 3, 487; Ditt. *Syll.*³ 838.

86. Privilegia concessa Dianae Ephesiae ab imperatore Hadriano (129 p. Chr.).
    Ditt. *Syll.*³ 839.

87. Epistula Sufenatis Veri, legati Lyciae, ad lyciarcham (131 p. Chr.).
    Lafoscade, 105; Cagnat, *IGRR.* 3, 739, c. 18.

88. Titulus honorarius (132 p. Chr.).
    *CIL.* III, *S.* I, 7282; Dessau, 315.

89. Lex Palmyrenorum (137 p. Chr.).
    Ditt. *Or. Gr.* 629; Cagnat, *IGRR.* 3, 1056, ll. 1–16.

90. Lex de certa olei portione rei publicae vendenda (117–138 p. Chr.).
    *IG.* II and III (ed. min.), 1100; de Ruggiero, *L' arbitrato pubblico*, 36.

91. Epistula imperatoris Hadriani (?) ad Athenienses (117–138 p. Chr.).
    *IG.* II and III (ed. min.), 1103.

92. Edictum imperatoris Hadriani (?) de vectigalibus (117–138 p. Chr.).
    *IG.* II and III (ed. min.), 1104.

93. Sermo et epistulae procuratorum de terris vacuis excolendis (117–138 p. Chr.).
    Carcopino, *Mélanges de l'école franç. de Rome*, 26 (1906), 365–481; *An. ép.* 1907, no. 196; Bruns, 116; Girard, p. 874; Riccobono, p. 357.

94. Titulus honorarius (117–138 p. Chr.).
    *CIL.* II, 5941; Dessau, 6954.

95. Titulus honorarius (119–138 p. Chr.).
    *CIL.* II, 3239.

96. Senatus consultum de nundinis saltus Beguensis (138 p. Chr.).
    *CIL.* VIII, 270 = VIII, *S.* 11451; Bruns, 61; Riccobono, p. 236.

97. Epistula Corneli Proculi, legati Lyciae, ad commune Lyciorum (139 p. Chr.).
    Cagnat, *IGRR.* 3, 739, c. 28; Lafoscade, 108.

98. Epistula proconsulis Asiae, L. Venulei Aproniani, ad Ephesios (ca. 138–139 p. Chr.).
    Lafoscade, 94.

99. Epistula Corneli Proculi, legati Lyciae, ad scribam publicum Myrorum (140 p. Chr.).
    Cagnat, *IGRR.* 3, 739, c. 34; Lafoscade, 110.

100. Epistula imperatoris Antonini Pii ad Ephesios (140–144 p. Chr.).
    Lafoscade, 51; Ditt. *Syll.*³ 849.

101. Epistula imperatoris Antonini Pii ad Ephesios (145 p. Chr.).
    Lafoscade, 54; Ditt. *Syll.*³ 850; *I.B.M.* 3, 491.

102. Epistula Rupili Severi, legati Lyciae, ad lyciarcham (150 p. Chr.).
    Lafoscade, 114; Cagnat, *IGRR.* 3, 739, c. 45.

103. Titulus operis publici (152 p. Chr.).
    *An. ép.* 1904, no. 21.

104. Tres epistulae Antonini Pii ad Coronenses et Thisbenses (140–155 p. Chr.).
    *IG.* VII, 2870.

105. Edictum proconsulis Asiae, Popili Cari, de diebus festis Ephesiorum (ca. 160 p. Chr.).
    *I.B.M.* 482; *CIG.* 2954; Ditt. *Syll.*³ 867.

106. Senatus consultum de Cyzicenis (138–160 p. Chr.).
    *CIL.* III, *S.* 7060; Dessau, 7190; *E.E.* 3, 156; Bruns, 62; Riccobono, p. 237.

107. Titulus honorarius (138–161 p. Chr.).
    *CIL.* XII, 594; Dessau, 6988.

108. Epistula imperatoris Antonini Pii ad Minoetas (138–161 p. Chr.).
    *IG.* XII, 7, 242; Cagnat, *IGRR.* 4, 1010.

109. Epistula praefectorum praetorio (168–172 p. Chr.).
    *CIL.* IX, 2438; Bruns, 71*b*; Riccobono, p. 260.

110. Senatus consultum de sumptibus ludorum gladiatorum minuendis (176–177 p. Chr.).
    *CIL.* II, *S.* 6278; Dessau, 5163; Bruns, 63; Riccobono, p. 238.

111. Rescriptum Commodi de saltu Burunitano (180–183 p. Chr.).
    *CIL.* VIII, 10570; *cf. S.* 14464; Dessau, 6870; Bruns, 86; Girard, p. 199; Riccobono, p. 361.

112. Epistula imperatoris Commodi ad Chersonesitanos de capitulo lenocinii (185–186 p. Chr.).
    Latyschev, 4, 81; *CIL.* III, *S.* 13750; Cagnat, *IGRR.* 1, 860, ll. 32 *ff.*

113. Epistula Iuli Saturnini, legati Syriae, ad Phaenesios (185–186 p. Chr.).
Lafoscade, 117; Cagnat, *IGRR.* 3, 1119; Ditt. *Or. Gr.* 609.

114. Epistula proconsulis Lyciae et Pamphyliae ad Sidymeos (185–192 p. Chr.).
Cagnat, *IGRR.* 3, 582; *T.A.M.* 2, 175.

115. Titulus honorarius (150–200 p. Chr.).
*An. ép.* 1902, no. 164; Dessau, 6780; *Compt. rend. de l'acad. d. inscr. et bel. lettr.* 1902, 38.

116. Titulus honorarius (saec. I vel II p. Chr.).
Cagnat, *IGRR.* 3, 634; *T.A.M.* 2, 291.

117. Decretum Hierapolitanorum de paraphylacibus (saec. I vel II p. Chr.).
Ditt. *Or. Gr.* 527.

118. Edictum vel epistula auctoris incerti ad Beroiaeos (saec. I–II p. Chr.).
*B.C.H.* 37 (1913), 90 *f.*

119. Epistula proconsulis Asiae ad Coos (saec. I–II p. Chr.).
Cagnat, *IGRR.* 4, 1044; Paton and Hicks, *Inscriptions of Cos*, 26.

120. Epistula imperatoris incerti ad proconsulem seu legatum Asiae (saec. II p. Chr.).
*Rev. d. ét. gr.* 19 (1906), 83.

121. Rescriptum imperatoris ad Lacedaemonios (saec. II p. Chr.).
*IG.* V, 21.

122. Titulus honorarius Poglensis (saec. I vel II p. Chr.).
Cagnat, *IGRR.* 3, 409.

123. Titulus honorarius (saec. II p. Chr.).
Cagnat, *IGRR.* 4, 788; Ramsay, *Cities and Bishoprics*, 2, 462.

124. Edictum seu epistula proconsulis ad Ephesios (saec. II p. Chr.).
*B.C.H.* 7 (1883), 504; *Inschriften von Magnesia*, 114.

125. Titulus honorarius (150–200 p. Chr.).
*CIL.* VIII, *S.* 17899 = *E.E.* 5, 698.

126. Titulus honorarius (saec. II p. Chr.).
*Rev. arch.* 3 (1916), 339; *An. ép.* 1916, no. 120.

127. Epistula imperatorum Severi et Caracallae ad Smyrnaeos (198 210 p. Chr.).
*CIG.* 3178; Lafoscade, 72; Ditt. *Syll.*$^3$ 876; Cagnat, *IGRR.* 4, 1402.

128. Decretum Myrensium de navigatione (saec. II vel III p. Chr.).
Le Bas-Waddington, 1311; *CIG.* 4302*a* (*Add.* p. 1136), Ditt. *Or. Gr.* 572.

129. Edictum M. Ulpi proconsulis et epistula Gemini Modesti proconsulis Achaiae ad Thisbenses (saec. II vel III in. p. Chr.).
*IG.* VII, 2226, 2227, *Add.* p. 747; Ditt. *Syll.*$^3$ 884.

130. Epistula imperatorum Severi et Caracallae ad Tyranos (201 p. Chr.).
*CIL.* III, 781; Cagnat, *IGRR.* 1, 598; Bruns, 89; Dessau, 423; Riccobono, p. 332.

131. Edictum legati imperatorum, Q. Sicini Clari, de Pizo condenda (202 p. Chr.).
Cagnat, *IGRR.* 1, 766; Ditt. *Syll.*$^3$ 880; Kalinka, *Ant. Denk. Bulgar.* 34.

132. Edictum imperatorum Severi et Caracallae de hospitio (204 p. Chr.).
Lafoscade, 74; Ditt. *Syll.*$^3$ 881; *CIL.* III, *S.* 14203$^{8,9}$; *IG.* XII, 5, 132.

133. Decretum Mylasensium de trapezitis (209–211 p. Chr.).
Ditt. *Or. Gr.* 515.

134. Epistula imperatoris Caracallae ad Philadelphenos (213–214 p. Chr.).
Lafoscade, 78; Ditt. *Syll.*$^3$ 883; Cagnat, *IGRR.* 4, 1619.

135. Tabula patronatus (222 p. Chr.).
*CIL.* VI, 1454; Dessau, 6109.

136. Album decurionum (223 p. Chr.).
*CIL.* IX, 338; Dessau, 6121.

137. Epistula proconsulis Asiae ad Aphrodisienses (222–235 p. Chr.).
*Rev. d. ét. grec.* 19 (1906), 86 *f.*

138. Titulus honorarius (222–235 p. Chr.).
*Rev. d. ét. grec.* 19 (1906), 84.

139. Rescriptum imperatoris Gordiani ad Scaptoparenos (238 p. Chr.).
*CIL.* III, *S.* 12336; Cagnat, *IGRR.* 1, 674; Ditt. *Syll.*$^3$ 888; Riccobono, p. 371; Girard, p. 205.

140. Titulus honorarius (238 p. Chr.).
*CIL.* XIII, 3162; Desjardins, *Géographie de la Gaule rom.* planches VII, VIII, IX.

141. Rescriptum imperatorum de querellis Araguenorum (244–247 p. Chr.).
*CIL.* III, *S.* 14191; Ditt. *Or. Gr.* 519; Cagnat, *IGRR.* 4, 598; Bruns, 93; Girard, p. 207; Riccobono, p. 373; *Röm. Mitth.* 13 (1898), 231 *ff.*

142. Epistula colonorum ad imperatores (ca. 200–250 p. Chr.).
*Denkschriften der Wiener Akademie*, 57 (1914–1915), 37 *f.*

143. Epistula vicanorum ad imperatores (ca. 200–250 p. Chr.).
*Denkschriften der Wiener Akademie*, 57 (1914–1915), 25.

144. Querellae vicanorum (ca. 200–250 p. Chr.).
*Denkschriften der Wiener Akademie*, 57 (1914–1915), 11.

145. Epistula imperatorum Traiani Deci et Herenni Etrusci ad Aphrodisienses (251 p. Chr.).
Le Bas-Waddington, 3, 1624; *CIG.* 2743.

146. Decretum decurionum et possessorum (256, vel fortasse 186, p. Chr.).
*An. ép.* 1903, no. 202; *cf. ibid.* 1894, no. 61.

147. Edictum imperatorum Valeriani et Gallieni de nundinis (253–259 p. Chr.).
Le Bas-Waddington, 3, 2720*a*; Ditt. *Or. Gr.* 262; *CIG.* 4474.

148. Epistula proconsulis Asiae de nundinis constituendis (260–270 p. Chr.).
Cagnat, *IGRR.* 4, 1381.

149. Decretum xv virum de sacris faciundis (289 p. Chr.).
*CIL.* x, 3698; Dessau, 4175; Bruns, 75; Riccobono, p. 262.

150. Titulus honorarius (saec. III p. Chr.).
*Denkschriften der Wiener Akademie*, 57 (1914–1915), 87.

151. Epistula imperatorum incertorum de constitutione civitatis Tymandenorum (saec. III p. Chr.?).
*CIL.* III, *S.* 6866; Dessau, 6090; Bruns, 34; Riccobono, p. 338.

152. Rescriptum de officialium exactionibus inlicitis (saec. III p. Chr.).
*CIL.* VIII, *S.* 17639.

153. Titulus operis publici (ca. 312 p. Chr.).
*CIL.* VIII, 210=VIII, *S.* 11299.

154. Epistula Ablabi praefecti praetorio et Constantini imperatoris de iure civitatis Orcistanorum (323–326; 331 p. Chr.).
*CIL.* III, *S.* 7000; Dessau, 6091; Bruns, 35; Riccobono, p. 341.

155. Edictum Constantini ad Umbros (326–337 p. Chr.).
*CIL.* XI, 5265; Dessau, 705; Mommsen, *Ges. Schr.* 8, 25.

156. Titulus honorarius (362–363 p. Chr.).
*CIL.* V, 8987; Dessau, 755.

157. Rescriptum Valentiniani Valentis Gratiani de moenibus instaurandis et de reditu fundorum civitatium Asiae (371 p. Chr.).
*Anzeiger der Akad. der Wissen. in Wien*, 1905, no. 10; *Jahreshefte d. öst. archaeol. Inst.* 8 (1905), *Beiblatt*, 71 *f.*; *ibid.* 9 (1906), 40 *f.*; Bruns, 97*a*; Riccobono, p. 374.

158. Rescriptum imperatorum Valentiniani Valentis Gratiani ad Festum proconsulem Asiae de ludis provincialibus (375 p. Chr.).
Bruns, 97*b*.

159. Titulus honorarius (376 p. Chr.).
*CIL.* VI, 1736; Dessau, 1256.

160. Index sodalium familiae publicae (saec. IV p. Chr.?).
*CIL.* XIV, 255; Dessau, 6153.

161. Decretum provinciae Africae (saec. IV p. Chr.?).
*CIL.* VIII, *S.* 11017.

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162. Edictum L. Aemili Recti de angaria (42 p. Chr.).
*P. Br. Mus.* 1171; Wilcken, *Chrestomathie*, 439.

163. Edictum Cn. Vergili Capitonis praefecti (49 p. Chr.).
*CIG.* 3, 4956, *Addenda*, p. 1236; Lafoscade, 119; Ditt. *Or. Gr.* 665.

164. Edictum L. Lusi Getae de immunitate sacerdotum (54 p. Chr.).
Lafoscade, 120; Ditt. *Or. Gr.* 664; Milne, *Greek Inscriptions*, p. 11.

165. Edictum Tiberi Iuli Alexandri praefecti (68 p. Chr.).
Ditt. *Or. Gr.* 669; *CIG.* 4957 (*cf.* vol. 3, *Add.* p. 1236); Riccobono, p. 253; Girard, p. 174.

166. De censu δωδεκαδράχμων (86–87 p. Chr.).
*P. Oxy.* 258; Wilcken, *Chrestomathie*, 216.

167. De vectigalibus locandis (ca. 81–96 p. Chr.).
*P. Oxy.* 44; Wilcken, *Chrestomathie*, 275.

168. Edictum Gai Vibi Maximi, praefecti (104 p. Chr.).
*P. Br. Mus.* 3, 904; Wilcken, *Chrestomathie*, 202.

169. De sumptibus γυμνασιαρχίας minuendis (114–117 p. Chr.).
*P. Amh.* 2, 70; Wilcken, *Chrestomathie*, 149.

170. Epistulae Petroni Mamertini et Statili Maximi de immunitate civium Antinoopolitanorum (135, 156 p. Chr.).
Wilcken, *Chrestomathie*, 26.

171. De vectigalibus exigendis a senioribus vici (136 p. Chr.).
*P. Br. Mus.* 2, 255; Wilcken, *Chrestomathie*, 272.

172. De civibus ad munera subeunda nominatis (ca. 137 p. Chr.).
*BGU.* 235; Wilcken, *Chrestomathie*, 399.

173. De statu civium Romanorum et Alexandrinorum (139 p. Chr.).
*BGU.* 747; Wilcken, *Chrestomathie*, 35.

174. De immunitate medicorum (140 p. Chr.).
*P. Fay.* 106; Wilcken, *Chrestomathie*, 395.

175. Edictum M. Semproni Liberalis, praefecti (154 p. Chr.).
*BGU.* 372; Wilcken, *Chrestomathie*, 19.

176. De immunitate patribus Antinoopolitanorum concessa (159 p. Chr.).
*Compt. rend. de l'acad. d. inscr. et bell. lettr.* 1905, 160 *ff.*; Wilcken, *Chrestomathie*, 28.

177. De immunitate veteranorum (172 p. Chr.).
*BGU.* 180; Wilcken, *Chrestomathie*, 396.

178. De muneribus sacerdotum (177 p. Chr.).
*BGU.* 194; Wilcken, *Chrestomathie*, 84.

179. De immunitate mulierum (ca. 180 p. Chr.).
    *P. Teb.* 327; Wilcken, *Chrestomathie*, 394.
180. De fuga eorum qui muneribus obnoxii sunt (186 p. Chr.).
    *P. Geneva*, 37; Wilcken, *Chrestomathie*, 400.
181. De nominatione magistratuum (192 p. Chr.).
    *P. Ryl.* 77, ll. 32 *ff.*
182. De muneribus vicanorum (194 p. Chr.).
    *BGU.* 15, col. I; Wilcken, *Chrestomathie*, 393.
183. De immunitate Antinoopolitanorum (196 p. Chr.).
    *BGU.* 1022; Wilcken, *Chrestomathie*, 29.
184. De connubio Antinoopolitanorum et Aegyptorum (saec. II p. Chr.).
    *Compt. rend. de l'acad. d. inscr. et bell. lettr.* 1905, 160 *ff.*; Wilcken, *Chrestomathie*, 27.
185. De munere eorum qui vectigalia exigunt (200 p. Chr.?).
    *P. Oxy.* 1405.
186. De vicis deminuendis (ca. 200 p. Chr.).
    Preisigke, *Sammelbuch*, 8; *Festschrift Hirschfeld*, 125.
187. De muneribus Oxyrhynchi (201 p. Chr.).
    *P. Oxy.* 54.
188. De vectigalibus (ca. 202 p. Chr.).
    *P. Oxy.* 890; Wilcken, *Chrestomathie*, 280.
189. Epistula imperatoris Septimi Severi ad Aurelium Horionem (202 p. Chr.).
    *P. Oxy.* 705, ll. 54 *ff.*; Wilcken, *Chrestomathie*, 407.
190. Querellae vicanorum contra possessores (207 p. Chr.).
    Preisigke, *Sammelbuch*, 4284, ll. 1–17.
191. De tribubus metropoleos (212 p. Chr.).
    *P. Oxy.* 1030; Wilcken, *Chrestomathie*, 36.
192. Edictum Caracallae de civitate peregrinis danda (212 p. Chr.).
    *P. Giess.* 40 (*cf.* vol. III, p. 164); Mitteis, *Chrestomathie*, 377; Segré-Beltrami, *Rivista di Filologia*, 45 (1917), 16 *ff.*; Meyer, *Juristische Papyri*, 1; Girard, p. 203.
193. Edictum Caracallae de reditu Aegyptiorum in agros (215 p. Chr.
    *P. Giess.* 40, col. II, ll. 16–29; Wilcken, *Chrestomathie*, 22.
194. De severitate munerum (216 p. Chr.).
    *BGU.* 159; Wilcken, *Chrestomathie*, 408.

95. Edictum Caracallae de senatoribus (213–217 p. Chr.).
    *P. Oxy.* 1406.

196. Edictum Aureli Serenisci de censu (226 p. Chr.).
    *P. Teb.* 288; Wilcken, *Chrestomathie*, 266.

197. De munere decaprotorum (post 242 p. Chr.).
    *P. Oxy.* 62, verso; Wilcken, *Chrestomathie*, 278.
198. De cessione bonorum eorum qui munera declinant (250 p. Chr.).
    *C.P.R.* 20; Wilcken, *Chrestomathie*, 402.
199. De trapezitis Oxyrhynchi (260 p. Chr.).
    *P. Oxy.* 1411.
200. De nominatione eorum qui munera subeunt (265 p. Chr.).
    *P. Fior.* 2, VII, ll. 166–201; Wilcken, *Chrestomathie*, 401.
201. De conductione agrorum publicorum (266 p. Chr.).
    *C.P.H.* 119, recto, col. VII; *C.P.R.* 39; Wilcken, *Chrestomathie*, 377.
202. Epistula senatus Hermopolitani ad *στρατηγόν* (266–267 p. Chr.).
    *C.P.H.* 52; Wilcken, *Chrestomathie*, 38.
203. Acta senatus Oxyrhynchi (270–275 p. Chr.).
    *P. Oxy.* 1413.
204. Acta senatus Oxyrhynchi (270–275 p. Chr.).
    *P. Oxy.* 1414.
205. De exactione tributi (saec. III p. Chr.).
    *P. Br. Mus.* 2, 213; Wilcken, *Chrestomathie*, 267.
206. De munere *εὐθηνιαρχίας* (ca. saec. III fin. p. Chr.).
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